researchers are responsible for obtaining written permission from both artist and perchaser involved. If it cannot be established after a reasonable search whether an artist or purchaser is living, it can be assumed that the information may be published 60 years after the date of sale.

possible date. It is proposed to serve such order with the summons and complaint.

10. No previous application has been made for the order herein requested.

WHEREFORE, it is respectfully requested that an order to show cause be signed in the form annexed hereto.

Ralph Fl colin

Sworn to before me this 18th day of August, 1965.

JOSEPH H. SCHNABEL

NOTARY, PUBLIC, State of New York

No. 24-3512785

Qualified in Kings County

Certificate filed in New York County,

Commission Expires March 30, 1962

August 17, 1965

My dear Mr. Kling,

As the Cellery is closed during the months of July and August I did not get your message until I dropped into the Cellery a few days ago to supervise the finishing touches of our rebuilding program.

I was distressed to learn that the Shahn print errived in such bad condition. Did you by any chance report this to the Railway Express Company! Since the package was insured this firm is responsible for any damage incurred. I presume that you discarded all the outer packing materials but if you can specify the date of arrival perhaps we can do something at this end.

I am greatly puzzled about the fact that the print had been torn and pasted before shipment, as the artist made the delivery to us in person and of course, it was carefully examined before it was put in stock. This is the first time we have had this experience and I deeply regret that it happened in your case.

If you will return the print to us in its present condition we will supply you with another copy immediately and no doubt you can have this placed in the frame.

Again, I regret that you have had this inconvenience and certainly want to get the matter straightened out as promptly as possible.

Sincerely yours,

August 16, 1965

Mr. Larry Curry Research Assistant Los Angeles County Museum of Art 5905 Wilshire Boulevard Los Angeles, California 90036

Donr Mr. Curry:

While the gallery is closed during July and August, I have been obliged to remain here to supervise our remodeling program in the new quarters and have just had an opportunity to go through some of the accumulated mail.

I note that the photographs which you and Mr. Maurice Tuchmen requested quite some time ago were cent to the County Museum late in June but find no acknowledgment of receipt. Won't you please let me know whether they reached you and whether you are interested in having any of the paintings sent to L.A.

The first show in our new querters is scheduled to open on September 7th, with a private preview and party. I hope that your plans will bring you to Now York at that time and I will have the pleasure of seeing you here.

Sincerely yours,

cify & Inchinan

could met for it. It is in good.

condition, painted on board.

I'll be grateful for your opinion
Sincular.

Wright Ledington

searchers are responsible for obtaining written permission on both artist and purchaser involved. If it cannot be tabliahed after a reasonable search whether an artist or orcheser is living, it can be assumed that the information by be published 60 years after the date of sale.



STATEMENT

September 10, 1965

Mrs. Edith Gregor Halpert 465 Park Avenue New York, New York 10022

Balance Due September 30 VISION 65 Conference Registration

\$35.00

Kalaher, Kanai, H Den mis, Halfert, vorgons liene) Oug. 5, 1965. his letter it more of a chetter which I hope will not distant your way much sealed must per like in your formany have do in your party and that it tality and the type and that ditality and the for the bit work a head of I atthe lifter of the fection will not be a business Stovera year ago, I look that this to Jula Somehow, & Abould have gone what & the much yourser, but that let this age a to applicated me old Japan. There Tare no marte by that overwhelfund one and there are make hinds that disafformated me, esfecially This to westernization, intentinge. afair with belivery be som facture with the big nations of mi world, accentically, industry wife or Odinatematical politice so. It old Japan their facts, aflene, shilong relicion, will the shoved in the backgraft but to altract the money of the wafter that beautiful ailes of theto in Utill madern trower compatible with the and other townism afterdrain but to talle insongruous to This ameient city. and met it peoples hat Japan must gr Think that som, it will there to militarily. To-marrow aug. 6, 1945 is late dan go. Someday, I hofe to to to place you the to

P.S. An English Professor writes offering us two early examples of Weber's work; I think around 1912. Would you be interested?

rior to publishing information regarding sales transactions, concreters are responsible for obtaining written permission rom both artist and purchaser involved. If it cannot be stablished after a reasonable search whether an artist or exchange is living, it can be assumed that the information say be published 60 years after the date of sale.

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m both artist and purchaser involved. If it cannot be abiliahed after a reasonable search whether an artist or reason is living, it can be assumed that the information y be published 50 years after the date of sale.

287,017

43 COMMONWEALTH AVENUE

August 9, 1965

Mr. Tracy Miller Downtown Gallery 465 Park Avenue New York 22, New York.

Dear Mr. Miller:

I am modified that I did not let you know but it was only last Friday that the Boston Truck picked up the Stuart Davis, and you should receive it the first of this week.

Please forgive my casualness in not letting you know.

Very sincerely yours,

Nathaniel Saltonstall

THE MUSEUM OF MODERN ART, KAMAKURA

Miss Edith Halpert 32 East 51st Street, New York, U.S.A.

Aug. 6, 1965

Dear Miss Edith Halpert;

I acknowledge the receipt of, and thank you for, your kind letter dated July 10.

I am greatly delighted to have the " Ben Shahn Prints Exhibition " consisted for our Modern Art Museum of Kamakura; but, to my great regret, two art galleries named Nihonbashi and Itoh are going to hold exhibitions of Ben Shahn's paintings, prints and dessins almost at the same time in October as written in your letter.

Thus, there are going to be held three exhibitions of Ben Shahn's works if our Museum insists on having one.

It is presumed that the art galleries of Nihonbashi and Itoh are having their exhibits brought to Japan, through an art gallery or a collector in New York without asking you to collect them.

We are not informed of how large a scale theysare going to be.

Such bring the case, I would like to put off our plan for the present till the other exhibitions come into existence and then ask you one again after having seen them.

> I hope I am not troubling you much. With the best wishes,

Yours sincerely.

Teiichi Hijiketa / of Modern Art, Kamakura

Kamakura-shi, Japan

Kalaheo, Kauai, Hawaii August 5, 1965

Dear Mrs. Halpert,

This letter is more of a chatter, which I hope will not disturb your very much needed summer rest. I hope you are still in your country home, doing the things that you won't have a chance to do in your gallery and that vitality and pep are fortifying you for the big work ahead of you. I assure you this letter will not be a business letter.

It's over a year ago I took that trip to Japan. Somehow, I should have gone when I was much younger, but then at this age I am apt to appreciate the old Japan. There are so many things that overwhelmed me, and there are many things that disappointed me, especially this new trend to westernization, in culture, industry, and change of values. I have a feeling that Japan will always be competing with the big nations of the world scientifically, industry-wise, and international politics, and in doing so, the old Japan, their arts, culture, philosophy, religion will be shoved in the background. Just to attract the money of the world even that beautiful city of Kyoto is building a modern tower, compatible with the radio. T.V. and other tourist attractions, but totally incongruous to this ancient city. And yet it seems that Japan must grow economically in order to be a first-class nation and I shudder to think that soon it will have to grow militarily. Tomorrow. August 6, 1945 is the day the atomic bomb was dropped on Hiroshima twenty years ago. Some day I hope to tell you more of my impressions, but for the time being I hope to spare you the memories of its horror. Today it is hard to believe that this city was flattened down. It looks like a thriving modern city with wide streets and impressively modern concrete buildings. I reached Hiroshima at night, 11 p.m., and was greeted by my young cousin and his wife and children, my two young sisters and a host of relatives and friends whom I did not know. From the station we took the taxis to Niho-machi, the village that escaped the blast, and in this stands our ancestral Doi house, small, old, durable, amidst others, there is no place for lawn. At the village entrance we disembarked and walked on a narrow lane hardly five feet wide, cobbled and slightly paved, no street lights. Quietly we walked and only the footsteps could be heard. Strangely for some reason, I felt that some time long ago I had once walked on this same lane (my father had always used this lane). A bicycle rider almost bumped into me, and the jangle of the bell broke this fleeting spell. Somehow I felt I had come home.

Our Doi house was very old, but well kept, and in the style that was more like the houses the ceasants built in the feudal ages. No windows, all sliding doors (shoji and paper doors) no keys or laches, in fact no privacy at all. That night I slept on the floor like they all do and woke up refreshed early in the morning. I strolled leisurely nearby, still feeling that I was in a fairy land. I can smell the fresh fruits, vegetables, etc. on the stalls and see the owners sprinkling the read nearby to prevent the dust from flying about. People whom I met gently nodded their heads and some asked if I was a relative of my host and added a word of welcome to this old crowded village. Each house didn't have plumbing and there was a community faucet where people came to get their water in buckets. And yet outside of our village, they had all the modern plumbing, electric and other facilities.

I stayed at my cousin's only one day and moved to the new Hiroshima Hotel, situated in the Peace Memorial Park, beautifully gardened. This spot was the epicenter of the bomb. About 400 yards from my window in the hotel, I could see the cenotaph, designed by Japanese architect Tange. I first thought it was Noguchi's, but his sculpture is a few hundred feet away, a railing for a bridge that spans the river, highly modern and

rior to publishing information regarding sales transactions, escarchers are responsible for obtaining written permission ross both artist and purchases involved. If it cannot be stablished after a reasonable search whether an exist of urchases is living, it can be assumed that the information any be published 60 years after the date of sale.

Prior to publishing information regarding sales transaction researchess are responsible for obtaining written permission from both artist and parabaser involved. If it cannot be established after a reasonable search whether an artist or purchaser is tiving, it can be assumed that the information may be published 50 years after the date of sale.

your stock I should be most patelled if you would let me know if you have anytuip which might be suitable. Yours suicerely, lucie Reenson (Miss L.S. PEARSON).

Prior to publishing information regarding sales transactions, researchers are responsible for obtaining written permission from both artist and purchaser involved. If it cannot be established after a reasonable search whether an artist or purchaser is living, it can be assumed that the information may be published 60 years after the date of sale.

Aller Edith
Jent day back after a deel but

restful nacction. Hope encything is

fromedery weel word your the gelley,

could you prosely space the

of the new Ben Shala fruit, black

white that had just arinel when I

send I Bill.

Keep Well West home

of the white homes-stringled roofted s set in green carbeted, young jagorous trees and dancely fest wal of flowers which sine so, many party and walks, charm the temper of this American Sag Harbor life. when we first came here over their wars ago the "look" was one of the tough down tradden ontworn heels himstegrating Atreets of homes we week of repairs, of people feeling. their discouraged & histeless retreat the off- beat location of the community where booms, were elsewhere, alone the mainhighway to syntank pand the sitizen suspicious of the intellectual -or artist much of that former Look of frustration is gove and the new note of local from scarterty of land for sale-and great ingresse ave given a new impact of vitality for this board of treating to the Island. Fur own effort to repaint trestore this old 1844 Beth El Bathlist Church now our studio-Ras



MUNSON-WILLIAMS-PROCTOR INSTITUTE

110 GENESEE STREET

UTICA, NEW YORK 13502

MUSEUM OF ART - EDWARD H. DWICHT, DIRECTOR

September 8, 1965

Mrs. Edith Gregor Halpert THE DOWNTOWN GALLERY 465 Park Avenue New York, New York

Dear Edith:

Sorry I missed your housewarming.

Good luck, congratulations, see you soon.

As ever,

EHD/awh

Edward H. Dwight, Director

THE DOWNTOWN GALLERY

EDITH GREGOR HALPIET, Director By appointment only 465 PARK AVENUE NEW YORK, N. Y. 10022 Telephone: Plazo 2-3707

August 16, 1965

Revere Paper Products Corp. 529 Greenwich Street New York, New York 10013

Gentlemen:

In order that we may have some written record for our files which we may use as a point of reference in placing our orders, would you please send us the prices of the smallest bundle available of chipboard in the following sizes:

as well as the prices for the smallest bundle of corrugated sheets in the following sizes:

Unfortunately, when Mr. Murray of your firm called, the message was taken by a temporary secretary and her notes on the information were mislaid.

Thanks for your prompt attention.

Sincerely,

Robert J. Frode

RJG:s

DAVIS - DOVE - KUNIYOSHI - MORRIS - OSBORN - RATTNER - SHAHN - SHEELER - SPENCER - STORRS - WEBER - ZORACH - HARNETT BRODERSON - DEMUTH - DOI - DOLE - HARTLEY - MARIN - O'KEEFFE - OTTESEN - PRICE - STASACK - STELLA - TSENG YU-HO PRANK M. TITELMAN 8610 ONEIDA AVENUB ALTOONA, PA. 16602

August 24, 1965

Mrs. Edith Halpert The Downtown Gallery 465 Park Avenue New York, New York 10022

Dear Edith,

It was nice to hear from you in your letter of the 17th and to learn that the great cesspool at 465 Park is still in a state of cess.

We are going to make every effort to make it over on the 8th of September, providing that you promise that we will have a drink.

Regarding the Storrs sculpture, don't send it. Wait until we get over, as Rose has never seen it and I would like her to look it over.

Sincerely,

Frank M. Titelman

mkee

Prior to publishing information repything sales transaction researchers are responsible for obtaining written permissifican both artist and purchaser involved. If it earned be established after a reasonable search whether an artist or purchaser is living. It can be assumed that the information may be published 60 years after the date of sale.

SKOWHEGAN SCHOOL OF PAINTING AND SCULPTURE SKOWHEGAN, MAINE

Dear Edin -

you here — and all The lasting fabrilly ideas you came up with during The Trustee !

Stor of back with bleave leve mandile illansol and Geldzahler - Bart Haye was driving Them to Bayeon airfort and 20 heims before flame Time he had a flat! Mansol or Hamp hitched a File The rest of has way

Way

Under beforate cover I

have sent you a fictive



4 EAST FIFTY-THIRD STREET, NEW YORK, N. Y. 10022 Telephone: Templeton 8-3730 Cable Address: Artsonws, New York

September 9, 1965

Mrs. Edith Halpert Downtown Gallery 32 East 51st Street New York, New York

Dear Edith:

As the director of a leading art gallery, you are highly important to the success of Art News. Well over half of our content deals with the exhibitions you and your colleagues select, with artists to whom you are committed, with paintings and sculptures in which you have invested both your expertise and capital.

Because of this, I think it is appropriate to give to you this interim report on the progress of Art News since the untimely death of Alfred Frankfurter and also to apprise you of what new plans are taking form.

I have been asked by the officers of Newsweek and the Washington Post Company, Art News' parent organization, to be Editor of the magazine. At the same time, Mr. Jack Fader has been appointed Publisher to coordinate my activities with those of printing, circulation and advertising, as well as seek new fields for development.

The basic assumptions of Art News remain unchanged. We hope to provide a continuing context for the best of modern art and the best of old art. We will attract more leading art historians to our pages to discuss their specialties. We will invite the artists to speak for themselves whenever possible -- in symposia, statements, interviews, formal essays, etc. We also plan to broaden the range of critical comment in the magazine, to take into full account the two major contrasting ideologies: that which believes in an art of the avant garde, of historical change and experiment -- and that which holds art to be open to all sorts of styles, including realism and conservative (for want of a better word) humanism.

No magazine can afford to remain static or self-satisfied, particularly in a field so fluid as ours, and Art News neither has been nor ever will be any exception to this rule. Where changes in physical format can lead to better presentation of our material, make Art News more readable to our subscribers, more significant to artists, or more useful to dealers, we intend to work on those changes. Likewise, we will be examining ways to make sections such as our "Reviews and Previews" even more timely.

Art News is the largest, the oldest, and we feel, the finest magazine devoted to the fine arts in this hemisphere. With your help and with your continued interest and support, we hope to make it even bigger and better.

Sincerely,

Thomas B. Hess

Editor

THE WESLEY FOUNDATION

THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL

EGEERT L. JOHNSON Director

BANKS O. GODFREY, JR. Associate Chaptain

MRS, HERBERT ALLRED Program Associate P. O. BOX 567 TELEPHONE 942-2152

The Dewtown Gallery 32 East 51st Street New York, New York.

Dear Sir:

I am writing to inquire about the availability of the work of Ben Shahn, which I understand you handle. What I am interested in is whether you have exhibitions of Shahn works which may be rented, or berrowed on consignment. Any catalogue of his paintings, illustrations, lettering and lithographs would be of interest to us.

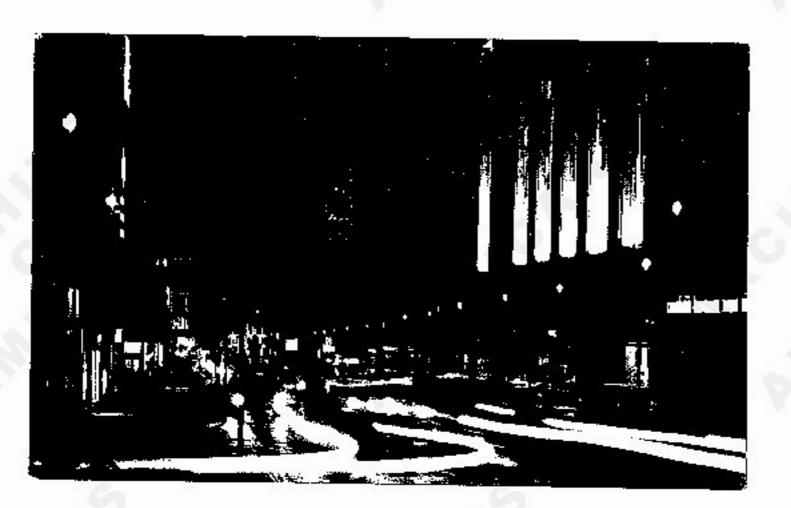
The reason for my interest is that we are openning a small gallery in a new building which is being completed this menth for us. We shall be able, of course, to guarantee adequate facilities for hanging works of art, and for their protection.

Any information along those lines would be most welcome.

Very truly yours,

Banks O. Godfer, fr.

ior to publishing information regarding sales transactions, seasohers are responsible for obtaining written permission om both artist and purchaser involved. If it cannot be dabbased after a reasonable search whether an artist or urchaser is living, it can be assumed that the information by be published 50 years after the date of sale.





SANTA BARBARA · SANTA CRUZ

LOS ANGELES, CALIFORNIA 9002.

August 23, 1965

Mrs. Edith Halpert Director, The Downtown Gallery Ritz Tower Park Avenue and 57th Street New York, N. Y.

Dear Edith:

I have talked with the Chancellor of the University and can tell you, happily, that the Zorach bronze cast of the "Victory" as I believe it is titled is being purchased for the advantageous figure of \$3500, which you quoted me. The purchase is intended for the UCLA Art Galleries.

This gives me a great deal of pleasure. I have long brooded over this figure, and not only value it in its own right, but I associate it with your collection and living room and with many hours when perhaps I was more sensitive to well done things than usual. The funds will be provided at an early date. Any time you wish, I hope in the reasonably near future, will you ship the cast to the UCLA Art Galleries, 405 Hilgard Avenue, Los Angeles 24, California.

Will you give my regards to Zorach and tell him that we are very pleased that he will be represented here?

Ever cordially,

Frederick S. Wight

Chairman

Department of Art

PSW: mm

14 Sidney Place Brooklyn, N.Y.

August 23, 1965

Mrs. Edith Halpert, Director Downtown Gallery 465 PArk Ave, New York, N.Y.

Dear Edith:

In connection with the various pieces of sculpture available for sale, as I mentioned the other day, we want to revise the prices asked - especially in the case where the original stone carvings are involved or where the number of future casts is limited. Naturally there will be instances where you will want to recommend discounts to museums or certain collectors and please feel free to call me with reference to any such recommendations.

Among the pieces at the gallery are the following with asking prices:

	Man of Judah - stone head	\$7,500.00	
	Victory - stone torso	12,500.00	10.000
	Bronze frog	1,500.00	1850
	Small flat sleeping cat bronze	500.00	
	Round cat - life size	2,000.00	
	Mother and Child - small stone -travatine	3,000.00	
	Sleeping bird - small bronze	500.00	
	Pigeon bronze 12"x4"high	1,500.00	
An.	Marguerite figure in bronze about 12" h	2,500.00	(1500)
	Figure draped bronze	2,500.00	<u> </u>
	Seated Girl bronze (see Wingert pl 35)	700.00	
	Stone granite head small	3,500.00	
	Dancer bronze 8x4x115	1,800.00	
**	Two floating figures bronze (Ch. Man.)	3,000.00	
	Dahlov standing 4'x2' Bronze	5,000.00	
	Rockaby baby stone relief half moon	4,500.00	
	Large stone head	5.000.00	

nior to publishing information registing sales transactions, researchers are responsible for obtaining written permission rom both artist and purchaser involved. If it cannot be established after a respectable search whether an exist or purchaser is living, it can be assumed that the information may be published 60 years after the date of sale.

flair house

August 10, 1965

Mrs. Edith Halpert c/o Downtown Gallery 465 Park Avenue New York, New York

Dear Mrs. Halpert:

I am planing to be in New York on Tuesday, August 2hth and would very much appreciate an appointment with you in the morning. We are very interested in having a Shahn exhibition for the coming season, essentially prints and drawings. We are in a position to purchase the majority of pieces for such a show.

Please advise if you will be available to meet with me on the 2hth and what time would be most convenient for you.

Very truly yours,

Carl E. Solway
Director

CES/sd

ø...

ARTHUR R. FREEMAN

INSURANCE BROKEN AND ADVISOR
TO INDUSTRY

TRLEPHONE MURRAY HILL 3-8510-11 3-12-13-14

NEW YORK 16, N. Y.

September 8th, 1965

Mrs. Edith Halpert Downtown Gallery 465 Park Avenue New York New York

RE: Estate of Stuart Davis

Dear Mrs. Halpert:

Since June 18th, 1965 we have called your place of business five times with the sixth call made by me today.

Each time we requested confirmation of value of the following two paintings:

1. "3 Table Still Life" 32 X 42

\$9,000.

2. "Standard Brand" (gouache) 10 X 13

\$3,000.

I am told that these paintings are in transit back to the U.S. and it is therefore most important that the confirmation of values be sent to me by return mail.

Very truly yours,

ARTHUR R. FREEMAN

ARF/bps

Terhus L. Feeman

Such factors cannot be reflected in a single price quotation which can be written on a tag in the manner applied to ordinary articles of commerce.

- (d) Many inquiries as to price are made solely as a matter of curiosity by persons who are not prospective purchasers. The New York art galleries present a free show to thousands of people who are in no position to purchase the works which are on exhibition. I believe that this is a genuine public service in which I am proud to participate. I do not believe, however, that this should carry with it an obligation to answer the inquiries of the curious who have no thought of buying. Such a requirement would destroy my ability to conduct my business operations in a manner designed to please my customers.
- (e) Price inquiries are often made for a variety of ulterior purposes. There are many "art spies" or "runners" who go from gallery to gallery with notebooks taking down prices.

 Some of them act on behalf of competitors.

 Some of them are private dealers who seek to become intermediaries between the galleries and the ultimate purchasers. Some are acting on behalf of prospective purchasers of comparable works offered by other dealers. Most dealers get to know who these individuals are and exercise caution in quoting prices to them.

- 7. For the foregoing reasons, I often decline to quote prices on works in my gallery. After a work has been sold, I am often asked the sale price and I always refuse to give that information. When a work is held on reserve for a prospective purchaser, I also refuse to quote the price at which it is held. I know that the purchaser or prospective purchaser would strenuously object to my disclosure of the price in either such case. In other cases, when the work is available for immediate sale, my willingness to quote the price depends on my judgment as to the seriousness of the inquiry, and this is often a last minute decision. I will never quote a price on the telephone and always feel free to decline to answer price inquiries from persons I do not know. My employees are instructed not to quote prices in my absence, but to refer all inquiries to me. When I do quote a price, it is that at which I am willing to sell the work at that time. I often make it clear that the quotation does not obligate me at a later date. All of these safeguards I believe are essential for the protection of my interests and those of my clients.
- 8. This does not mean that I seek to charge "what the market will bear" in the sense that I raise the price merely because I believe that a particular purchaser may be willing to pay more than what I believe to be its value. Such a practice would be self-defeating. It would soon impair

Collectors Gallery, Inc. - 590 N.E. 79th Street, Miami, Florida 33138



August 19, 1965

Downtown Gallery 32 East 51st Street New York, New York

Dear Mrs. Halbert:

For your information only, I am attaching a copy of a press story as yet unapproved for release. Attached also is a letter to Mr. Ben Shahn. Will you be kind enough to forward it to him immediately?

As you can see by the copy of the letter to Mr. Ben Shahn, we are inviting him to participate in the First American Art Masters Exhibition to be held at Collectors Gallery in Miami next winter season.

Your assistance is greatly appreciated. We hope to make the forthcoming exhibition an annual event of international interest. Your kind cooperation will be of great help.

Yours most sincerely,

Leonard Rosen

Chairman of the Board of Trustees

LR/TF/tm Enclosure report to providing antennation represent and attacked from both artist and purchaser involved. If it cannot be reliablished after a reasonable search whether an artist or purchaser is living, it can be assumed that the information may be published 50 years after the date of rule.

ART DRALERS ASSOCIATION OF AMERICA, INC. 575 Madison Avenue New York 22, N. Y.

August 19, 1965

To the Members of the Association

After conferences with all New York members of the Board of Directors of the Association, the Association itself, and eleven individual New York members, decided to bring a suit against New York City Commissioner of Markets Albert S. Pacetta to enjoin the effectiveness against art dealers of a Regulation issued by him. The action, in the New York Supreme Court, New York County, was filed today and seeks a temporary restraining order pending the outcome of litigation.

In connection with the commencement of the suit, a Press Release was issued of which a copy is enclosed for your information.

> Ralph F. Colin Administrative Vice President

RFC: j1 A735-1 Enclosure

Prior to publishing information regarding when transactions reasonables are responsible for obtaining written permission from both artist and purchaser involved. If it cannot be established after a reasonable search whether an artist or purchaser is fiving, it can be assumed that the information may be published for years after the date of sale.

THE CITY OF NEW YORK DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY

RULES AND REGULATIONS COVERNING AND RESTRICTING
USE AND SUPPLY OF WATER FOR
AIR CONDITIONING

RULES COVERNING HOURS OF USE OF AIR CONDITIONING SYSTEMS

August 12, 1965

Statement of Policy and Intent

After a careful study of the number and tonnage of air conditioning units in New York City using City water in their operation, it was found that there are some 28,800 units with an aggregate tonnage of about 955,000, which are of the recirculating type and use but 5% of the amount of water that normally would be required without a water conserving device; and some 29,400 units with a total tonnage of about 125,000, which do not recirculate the water. It was also ascertained that the quantity of water used by the recirculating air conditioners was about 30-40 million gallons daily whereas the amount required for the non-recirculating types was approximately 90-125 million gallons each day.

The protracted drought, which is unprecedented in both severity and duration has created a serious water shortage in New York City which could lead to a water famine in the fall or early winter. Because of the critical nature of the situation and in order to reduce the drain on the vastly depleted reservoirs so as to provide sufficient water for essential domestic, sanitary, commercial, industria? and fire-fighting purposes, a restriction on the number of hours daily when air conditioners using City water may operate, is absolutely necessary.

Therefore, under the authority of Chapter 30, Section 734 subdivisions 2 and 3 of the New York City Charter, I hereby direct that, until further notice, the number of hours of each day during which air conditioning using City water may operate shall be limited in conformity with the following schedules:

Type of Operating of Galler Sterick, this two approximant Permissible to C.-

All occupants of Office and Commercial Buildings. Close off lobbies & unused areas - 6 hr. of each 8 hr. shift in all other

Clubs

Health & Social 6 hrs.

rior to publishing information regarding sales transaction semethers are responsible for obtaining written permission both artist and purchases involved. If it cannot be stabilished after a reasonable search whether an orist or inchases is living, it can be assumed that the information up be published 60 years after the date of sale.

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Jem Elith many that for you letter. The Laurence the har on Cant " I'm The has aring safaty of Spelman. you soit 7 young shall be sola- Whill han the west court on will how - tas me dut no time till

1

· ENTRANCES

- . STORE FRONTS
- *CURTAIN WALL

44-11 54th DRIVE

MASPETH 78, NEW YORK .

· ALUMINUM

. STAINLESS

· BEONZE

August 19, 1965

Kawnser Co. 50 Kern Boad Carlstadt, K. J.

A t: Mr. Frank Von Aiken

Re: Repair C.O.C. Mitz Tower - Downtown Galleries - 113 E. 57th St. MY

Gentlemen:

Back on July 7, 1965 this office salled your office remarding a complaint that one of your overhead concealed closers does not operate properly on the job.

rrior tà calling your office se had our outside foreman cleck wide job and he discovered that your closer was very stiff and wifficult to open. He tried to adjust It as nest he could, but to no aveil. The spring tension on these cleeks are too strong.

The doors used on this job are 2'-3" wide and you supplied closer #37-ball which is rated for a 21-6" door and under.

All of this pararial was furnished by Kawneer completely pre-fabed with concealed closers installed at your new Jersey lant.

Back in July you and promised to send your field mechanis to check out this complaint. In further conversation with your office we were given to understand that this complaint was taken care of.

However, our istomer has called us again, very indigmant, claiming no one was ever there and if someone was there mey did nothing at all.



August 12 1965

Dear Miss Halpert

You must be enjoying the summer vacation somewhere outside of New York city now and may not have a chance to read this letter until sometime in September.

The following is a list of the works already sold to the clients so far.

Med.	No.	Title	Price
Oil	8	Autumn Twilight	\$8,500
Ink	305	Figure in Mask	\$600 ×
Pencil	. 288	Meditation	\$350 v
71	298	Four Heads	\$500 -
Litho	3	Pears V Grapes	\$135 -
10	34	At the cafe	\$150 ×
17	37	Nude at door	\$135 W
10.	37	Nude at door	\$160 W
11:	43A	Girl putting on chemise	\$145 ~
l)r	434	Girl putting on chemise	\$145
. 11	17	Girl in wicker chair	\$140
33	40	WireValker	\$175 /
IP .	68	New England landscape	\$150
5 rec	W	Total	\$11,285

On the matter of remittance to you as of August 12,1965 described in your letter of May 5, we have to make in September because of the procedures to be taken by our bank and also of the clients' convenience.

We sincerely hope that you can agree on this matter although this is against our will.

By the way, we again would like to ask you the possibility of Ben Shahn exhibition in October. We understood that you have been negotiating with the Museum of Modern Art, Kamakura around the same period but we are getting quite a few pieces of oil paintings of his from the west coast and then moreover we would like to get more successful show with his silk screen prints, (painted-in) water colors and posters etc.

Your prompt reply on this matter is grealy appreciated.

My very best.

Paul I. Watabe

-2-

I am writing to you as a long-time associate of Ben Shahn's to ask if you have any know-ledge of this particular print. From the article, it would appear that there is only an original drawing and no authorized prints.

Please let me know what you can. Thank you very much.

Sincerely,

Ben Norman

BN:jf

6063 Sunset Boulevard - Hollywood, California 90028 Dial 469-7311 2 that their new phase of your destiny was breaded for even higher levels of huccess Ether and I feel this delphy and wish you and gladness. We are now referred to old sag Harbor jone of they gays of will get too cold to remain... we have no heat the ancient coal furning is, pooped out-and. gren at its frest and hay day time it could never provide sufficient waringh and the



PHILADELPHIA

August 12, 1965

Mrs. Edith Halpert Downtown Gallery Ritz Towers 465 Park Ave., New York City

Dear Mrs. Halpert:

This letter is a response to your request for a written explanation of the exhibition Mr. Selig Burrows and I discussed with you.

It is to be called The Animal in Contemporary Art; it will be presented as the inaugural exhibition in newly completed galleries of the Fleisher Art Memorial in Philadelphia, which is administered by the Philadelphia Museum of Art. Full security measures will be in force, including 24 hour surveillance. The Museum van will pick up work in New York on October 16th and return it November 15th. If requested, work from galleries will be for sale.

We want oils and sculptures of animals that do not include the human figure or distracting backgrounds. Mr. Ben Shahn informed us that you will make the decision in regard to his animal paintings. Also,, we will appreciate the loan of a Zorach cat, and any other work in your collection that is suitable for our show.

I will be pleased to answer your questions, and will telephone next week for your suggestions, and hopefully, for an appointment.

KUNIYUSHI

Sincerely

Mrs. Irving H. Leopold

1080 Fifth Ave., New York, N. Y. 10028

rior to publishing information regarding sales transactions, escurchers are responsible for obtaining written permission rom both artist and purchaser involved. If it cannot be stabilished after a reasonable search whether an artist or archaeor is hiving, it can be assumed that the information are be published 50 years after the date of sale.

August 16, 1965

Mr. Tracy Atkinson Director Milwaukee Art Center 750 M. Lincoln Memorial Drive Milwaukee 2, Wisconsin

Dear Tracy:

I have just returned from several trips - one from London and another through New England and found your letter among about a hundred others that had accumulated since July when the Callery officially closes for two months. This year I have been in and out, supervising the reconstruction work in my new quarters (please note the current address which appears on the letterhead).

While I was delighted to hear from you I was terribly shocked to learn that Harry Bradley passed away. Digging further down in my pile of correspondence I found another letter - much earlier - written to me by Peggy's secretary. Now I will have to make an effort to dictate a note of consolation to Peggy.

As I have been devoted to the Bradleys and to you, I certainly will be delighted to have something from this gallery used as a memorial to him. As soon as I obtain photographs from Claments who has returned from his vacation I will send them out to you. Meanwhile, I am enclosing a catalog and a publicity release relating to an exhibition we had last year which caused a real sensation. You will gather from the material enclosed that John Storrs is a rediscovery and the visitors were stunned to learn that another American pioneer has been added to the list. In going through the work I reassembled with the help of the artist's daughter who had a good deal of it in her home in Illinois and in a chateau in France, I was equally estenished to see how many of the current trends in sculpture were anticipated by him. The photographs will speak for themselves. The reason I thought of including him is that Peggy Bradley has been a true pioneer in purchasing many of her paintings and sculptures before they were fashiousble and while they were considered "way out". Thus Storrs seemed supropriate.



MUSEUM

INCORPORATED

Founded in 1947 by Mr. and Mrs. J. Watson Webb

SHELBURNE, VERMONT

Office of the Director

August 20, 1965

Burlington 862-9646 Area Code 802

Mrs. Edith G. Halpert The Downtown Gallery 32 East 51st Street New York 22, New York

Dear Edith:

I am sure you have wondered whatever happened to me not having been in attendance for the lecture you gave on August 4th for us down at the University of Vermont. Well, I was taken sick on that day and have just returned to the office to pick up where I left off.

I do wish to tell you that many indicated they were so pleased to have been able to hear your lecture, and, also, they were most grateful for your having taken part in this first Lecture Series sponsored by the Museum. The new program entered into by the Museum with the University of Vermont has been, we believe, a complete success. The three-credit course was over subscribed as was the Lecture Series, and the many letters of thanks lead us to believe that our initial efforts will lead us to more such programing.

Enclosed you will find the Museum check in the amount of \$200.00 as the honorarium promised you earlier. Once again thank you for everything and hoping you are feeling better each day, I am,

Sincerely,

Sterling D. Emerson

SDE/hl

Enclosure: Check No. 41245

nior to publishing information registring sales whose cross, searchers are responsible for obtaining written permission on both artist and purchaser involved. If it cannot be stablished after a reasonable search whether an artist or earchaser is living, it can be assumed that the information as he subfished 60 years after the dete of sale.

August 17, 1965

Mrs. Irving H. Leopold 1080 Fifth Avenue New York, New York 10028

Dear Mrs. Leopold:

Thank you for your letter.

As the Burrows no doubt advised you we are in the process of getting organized in our new quarters which are still incomplete but I am quite sure that we will find several sculptures and possibly a painting or two for your exhibition. I know that we will have at least two sculptures by William Zorach. I know of no painting by Shahn in the specified category. There are several drawings which would fit in. This holds true for Kuniyoshi as well. While he has some paintings including enissis, in all instances there are figures incorporated.

Now that some of our records end photograph books are accessible I will look through these to ascertain whether we have additional esterial for you and will advise you shortly.

Sincerely yours,

MCH/v

Prior to publishing information regarding sales transactions, seasonchers are responsible for obtaining written permission from both setted and purchaser involved. If it cannot be established after a reasonable search whether an artist or purchaser is fiving, it can be assumed that the information may be published 60, years after the date of take.

PRATT INSTITUTE SHOOKLYN, NEW YORK 11205
THE ART SCHOOL

August 30, 1165

Dearest Edith R.H.:

Your wonderfully generous letter, so welcome, was waiting for me when we came in last evening. Many thanks! You are a true and good friend. And you can count on me to be the same to you. Anytime.

I do hope your heavy problems grow lighter as you get nearer the day of opening. Best!

With love from us both,

Albert C-J

Christ-Jane

Maximum Permissible Type of Operation (Control hours of use Vaults Bank & Storage. Epartment Bldgs. Coop. Buildings) having central air conditioning ... 8 hrs. Condominiums Apartment house type laundries............................... hrs. Chocolate Candy Stores (75% or more of business as chocolate) As required. Storage Warehouses..As required.

It is further directed that the hours during which air conditioning using city water shall be permitted to operate in accordance with the above schedules shall be posted promimently in each building and establishment using such air conditioning.

An advisory committee will be established for receiving and reviewing requests for variances from this directive due to peculiar individual situations.

It should be noted that this directive applies only to air conditioning using City water and does not apply to air conditioning using private well water nor does it apply to air-cooled air conditioners such as window air conditioners.

This directive shall take effect immediately.

Armand D'Angelo Commissioner August 4, 1965

Melrose Glass Company 361 East 161st Street Brown, New York

Contlemen:

Some time ago, Eddie Gornick who was then working for the Rits Tower, brought us some samples of glass, blasted on one side and we are now ready to order about twelve of these, but I would like to get the price in advance. The measurements are approximately

6 91 x 34 3/4"

66 12 x 34"

These are to be used for displaying sculpture, some of which, though small in dimension, are frequently rather heavy. Since I as not familiar with this material, I made whether it would be possible for someone to come in to suggest the Thinkness and make accurate measurements so that the shelves will fit.

I would greatly appreciate a reply from you. A selfaddressed envelope is enclosed for your convenience. We must have delivery sometime next week if this can be attended to by you.

Task you for your cooperation.

Sincerely yours,

101/w

LOUIS A. WEHLE, Chairmen of Board JOHN L. WHILE, President WILLIAM J. HOOT, Vice-President JAMES P. DUFFY, Setretary ROBERT G. WHILE, Treaturer



Lager Beer - 12 Horse Ale - Cream Ale ROCHESTER 5, NEW YORK

> PHONE BAker 5-2800 (AREA Code 716)

August 16, 1965

Edith Halpert The Museum of American Folk Art 49 West 53rd Street New York, New York

Dear Madam:

Recently I read an article in the August 1965 issue of Better Homes & Gardens Magazine concerning weathervanes. It stated that "on display at the Detroit Institute of Arts in 1953 was a large and magnificent cow weathervane of tin and copper, modeled in the full round, which was rare." As I understand it, the weathervane came from you.

ple forward to EGH.

I am interested in obtaining a weathervane for a carriage barm (new or antique) mounted on a cupola. The size being 40 x 70.

I would appreciate your sending me any trade and/or merchandise catalogues you may have available.

Thank you.

Sincerely,

THE GENESEE BREWING COMPANY, INC.

John L. Wehle

President

JLW/skr

facts establishing the second ground of our complaint, i.e., that, as applied to dealers in works of fine arts, the Regulation is arbitrary and capricious. I do not refer to the dealers in low-priced works by unknown or little known artists which are sold largely for home decoration. Without reflecting on the business of those dealers, it cannot be denied that they are in a market entirely distinct from that of the sale of works by recognized artists who have gained critical acclaim and wide reputation. The other plaintiffs and I are engaged in the exhibition and sale of such works. As applied to our business, enforcement of Regulation 49 would require a drastic change in standard procedures, - procedures which are entirely legitimate and stem from the nature of the art market.

3. I have engaged in business as an art dealer in the City of New York for over 15 years. I have a gallery at 50 East 78th Street, in the Borough of Manhattan. That gallery is on the street level and is open to the public during regular business hours. At times, I hold special exhibitions which the public is invited to attend through newspaper announcements and advertisements. I regularly have on display in my gallery paintings, sculptures and drawings some of which are owned by my corporation either alone or jointly with another dealer, and some of which are consigned for sale. Most of those works of art are for sale, but some are held for a period

laws of the State of New York. Plaintiff Betty Parsons does business under the firm name of Betty Parsons Gallery. Plaintiff Paul Rosenberg & Co. is a partnership. Each of the plaintiff dealers is engaged in the business of operating an art gallery in the City of New York at which paintings, sculptures, drawings and other works of art are sold, exposed for sale and offered for sale.

- 3. At all times hereinafter mentioned, defendant Albert S. Pacetta, as Commissioner of Public Markets of the City of New York (herein called the "Commissioner") was, and he is, the duly designated and appointed head of the Department of Markets created and existing under Chapter 36 of the New York City Charter.
- 4. Upon information and belief, on or about July 28, 1965, defendant, purporting to act under the authority granted to him by law, promulgated a regulation (herein called "Regulation 49"), to be effective August 15, 1965, reading as follows:

Regulation 49. - Display of Retail Price Required.

Any commodity, whether edible or inedible, sold, exposed for sale or offered for sale at retail, shall have conspicuously, plainly and clearly displayed the price per unit of weight, dry or liquid measure, or numerical count by a stamp, tag or label or by a sign at the point of display.

5. Defendant has publicly announced that the works of art sold, exposed for sale and offered for sale by plaintiff dealers are commodities which will be subject to Regulation 49 and that he intends to enforce that regulation against art dealers.

RULES AND REGULATIONS GOV RHING AND RESTRICTING USE AND SUPPLY OF WATER FOR REFRIGERATION AND AIR CONDITIONING

Statement of Policy and Intent

August 12, 1965

After a careful study of the number and tonnage of air conditioning units in New York City using City water in their operation, it was found that there are some 28,800 units with an aggregate tonnage of about 955,000, which are of the recirculating type and use but 5% of the amount of water that normally would be required without a water conserving device; and some 29,400 units with a total tonnage of about 125,000, which do not recirculate the water. It was also ascertained that the quantity of water used by the recirculating air conditioners was about 30-40 million gallons daily whereas the amount required for the none recirculating types was approximately 90-125 million gallons each day.

Therefore, in order to conserve the water supply and, under authority of Chapter 30, Section 734, Subdivisions 2 and 3 of the New York City Charter, I hereby direct that as of September 30, 1965, Rules Numbers 145, 146 and 147 pertaining to the use of water for refrigeration and air conditioning of the "Rules and Regulations Governing and Restricting Use and Supply of Water in New York City" promulgated on September 1, 1964 shall be deleted.

I also direct that the following Rules and Regulations pertaining to all waters using refrigeration and air conditioning equipment be promulgated. This order shall become effective on September 30, 1965.

AIR CONDITIONING AND REFRIGERATION RULE 145 APPLICATIONS

Application. Application for permits to install refrigeration or air conditioning equipment in any building supplied with water from the City-owned water supply system shall be made by the owner of the building or his agent prior to installation, and shall be properly executed. All information requested shall be furnished thereon. Approved copy of the application will be returned as a permit.

PERMITS

Permit: A permit from the Bureau of Water Register of the Department is required for the installation of all refrigeration and air conditioning equipment using City water. Such permit shall be subject to the requirements and provisions of Rule No. 118 of the Rules and Regulations Governing and Restricting Use and Supply of Water in New York City.

DEFINITIONS

- A . "Refrigeration System" shall mean an installation for maintenance, by heat removal, of temperatures which are 60 deg. F. or less.
- B "Air Conditioning System" shall mean an installation for maintenance, by heat removal, of temperatures which are more than 60 deg. F.
- C "System" shall comprise an individual unit or the total of all individual units or aggregations of units or a combination of units, producing conditioned air for one or more areas within an entire building, whether or not all the units constituting such total aggregation or combination are under one ownership.
- D "City" shall meen the City of New York.
- E = "Commissioner" shall mean the Commissioner of the Department of Water Supply, Gas & Electricity of the City of New York.
- F- "Department" shall mean the Department of Water Supply, Gas and Electricity of the City of New York.
- G An "Installation" shall mean the total number of tons of refrigeration or air conditioning.
- H- Rating of Refrigeration and Air Conditioning Equipment.

Rating of one ton of refrigeration and air conditioning: One ton of refrigerating or air conditioning is the removal of heat at the rate of 12,000 British Thermal Units per hour. The following equivalents will be used:

"Refrigeration (Electric)." One horsepower of the compressor motor shall be equivalent to 6/10 of a ton of refrigeration.

"Refrigeration and Air Conditioning (Gas)." Refrigeration or air conditioning equipment using gas fuel for energy shall be rated on the basis that one ton is equal to the removal of 12,000 British Thermal Units per hour.



RANDOM HOUSE, INC.

457 MADISON AVENUE, NEW YORK 22, N.Y.

TELEPHONE PLAZA 1-2600

C. A. WIMPFHEIMER VICE-PRESIDENT & SECRETARY

August 9, 1965

Mrs. Edith Halpert The Ritz Towers Park Avenue at 57th Street New York, New York

Dear Edith:

I believe that during his most recent trip home; our mutual friend, Karl Katz, spoke to you about the possibility of your writing your autobiography. I trust this is the case, because he talked to me about it and assured me that he would be speaking to you on the subject.

I think it is a great idea and would make a fine book which would have a considerable audience, and I would be very happy to have you choose Random House as your publisher. Please do give this serious consideration.

I look forward to your enswer.

Cordialty,

loui

CAW:la

Rose town term Mathemaris A. Aug 31 65 Guon town Gallery 465. Part no. NEW YORK GTY about 1 ASUO Kuniyosting Of Au Landle one printes in John in fall Alon- desse elud information à parce

> MRS. GERARD BRENNAM Rosetown Farm Matemores, Pennsylvapia

cine to publishing information regarding sales transactions, meanthers are responsible for obtaining written permission can both wrist and perchaser involved. If it cannot be stablished after a responsible search whether an artist or urchaser in living, it can be assumed that the information sy be published 60 years after the date of take.

August 6, 1965

Mrs. Sharon Lerner Lerner Publications Company 133 First Assume Morth Himmespelis, Himmesota 55401

Dear Mrs. Lerners

Thank you for your letter of the 4th.

I wish that I were able to help you by sending along a color transparency of Ben Shahm's "Phoenix," but unfortunately we do not have a transparency of this work. The black and white photograph which was sent along to you earlier is the only reproduction we have available. I hope that it will prove satisfactory.

Once again, best wishes for the success of Miss Gracsa's book.

Sincerely,

Robert J. Orode

RCt .

August 6, 1965

Mrs. Edith Gregor Halpert The Downtown Gallery 32 East 51 Street New York 22, New York

Dear Mrs. Halpert:

On behalf of the Board of Trustees of The Arkansas Arts Center and myself I would like to thank you for your kind cooperation in helping to make our "Henry Moore" Exhibition a success.

Looking forward to similar cordial relations in the future, I am

Very truly yours,

Zoltan F. Buki

Curator

ZFB/mw

DANIEL FEDER, D. D. S. ISE LASKY DRIVE BEVERLY HILLS, CALIFORNIA

CRESTVIEW 5-7028

August 5 1965

Edith Gregor Halpert The Downtown Gallery 465 Park Avenue New York, New York

Dear Edith.

The this is late, please accept our very best wishes and continued success in your new gallery.

Very sincerely,

Daniel Feder, D.D.S.

DF/ek enclos.

from the desk of 8/26/65 Dew Edith, Like everything I you, Mr. Webster is "a thing of beauty" and those fully "a joy forew. nee we've done Summer in (before it gets es!)-

August 23

HESPERIDES HOUSE

Dear Mr. Halpert

Hartley vil "Knotting Pope" of 1939-46

12" wide x 28" high which I'm thinking
of selling if I can get a really good
price for it - as I have a couple of
others which I can use wore easily.

Would you be interested in selling this for me I think you are the obvious person to do it. It is a very simple, strong composition of a pair of hands and rope I can have a protrataph taken and sent to you or send the picture - but before I send the picture I would like to know what you think

August 16, 1965

Gimbels 33rd Street & Avenue of the Americas New York, New York

Dear Stret

This is to confirm the order placed this morning by telephone in which it was requested that three 8 shelf units, 60" high x 60" wide and 12" deep be sent to me and charged to my account.

These items should be sent to me, Mrs. Edith Gregor Helpert, c/o The Dougtonn Gallery, 665 Park Avenue (Concourse), New York, New York 10022.

Thank you for your prompt attention in this matter.

Sincerely.

Mire

chaper is living, it can be assumed that the information y be published 60 years after the detp of sale.

I think I'll like to stop this letter here and look forward to writing more cheerful things. And yet how things go in Vietnam is not cheerful.

I wish to congratulate you for your success in finally finding a place that suits you. It sounds very impressive in the heart of the art world.

Since my first small strokes I've had a couple without much physical damage except difficulty in speaking, more mentally depressed than physically. I shall send some slides, though not too good, soon. Please don't feel necessary to answer my letters. Please take a good rest instead.

With lots of alcha and warmest regards from wife and me -

(signed) Isami Doi

Almost forget ! Thank you for inclusion in the London show.

Prior to publishing information regarding sales transactions, meanthers are responsible for obtaining written permission from both artist and parchaser involved. If it cannot be established after a reasonable search whether an artist or surchaser is living, it can be assumed that the information may be published 50 years after the date of sale.

August 17, 1965

Dear Dr. Fine,

Believe it or not, the foundry has delivered several of the Storrs' sculptures to us and promised the balance within the next ten days. It is appalling that so long a time is required and every time I telephoned I was advised it would be a few days more, and that they had a tremendous amount of work shead and that many of the employees took long vacations. I hope you will bear with us and will forgive the delay.

The Gallery - or our new quarters, to be exact - are still in a state of chaos. However, we expect to open on September 8th, with a private housewarning on the preceding day, to which I hope you will come. An invitation will be mailed to you within the week (I H Meanwhile, would you let me to pick up whatever is avail to wait until the entire gro

Our new address appears on the will note, we have retained the same number - thanks to some number retained.

It will be a great great pleasure to see you again.

Sincerely,

ROR/v

or to publishing information regarding sales transactions, canchers are responsible for obtaining written permission in both ertist and purchases involved. If it cannot be ablished after a resemble search whether an artist or chaser is living, it can be assumed that the information y be published 60 years after the date of sale.



good taste costs no more

W DUG 31'65 CO STORE OS STORE

Mrs Edeth Salpert The Down Foron Halley 165 Park line Mus Jouk, D. J.

made our studio limblings into one of the local monuments of museum of historic sites live dry glad of this. Henres usa deing of hamp contryborher to our community here some Expressor respect for what was once whomat there an American textesse whom which they has some egotestic national pride. The day is getting, dark-now int. The moving historie on Assures make at much. State U. by Leeba was shown at grunds Hall E-Houghten last with together with one on Belock one on De Rooning. The auts Had was crowded arthebocal, national Bug Names & chall-wenterinassian The KNUTURA I film stood out. I Period 50 long. This simlarys papers do not receive write on your opening to I do not appreciate from us took - Ale and the contraction of the sound of the second contraction of the sound of the second contraction of the

for to publishing information regarding sales transaction searchers are responsible for obtaining written permission both artist and purchaser involved. If it cannot be abblished after a reasonable search whether an artist or rehaser is living, it can be assumed that the information sy be published 60 years after the date of sale.

KK

August 25, 1965

Mr. Marshell Field III 250 East 65th Street New York, New York

Dear Mr. Pleld:

At long last I can report that the two paintings have been returned by the restorer -- late as usual. However, she did such a superb job that I think you too will forgive her when you see the two magnificent paintings.

Both she and I felt it would be a great mistake to meddle with the original frames and all we did was to touch up the bad greas with an antique gold paste.

We are ready to ship these to you immediately to any address you wish but I would suggest for the sake of saving tax that they be sent to New Hampshire where I believe you wish to hang them. In any event, I shall swait word from you in this connection.

I hope you have had a pleasant summer and that I will have the pleasure of seeing you in our new quarters.

Sincerely.

P. S. I thought you would be interested in the enclosed photostat. I agreed to pay for the restoration and am doing so.

EOHITE

PHILADELPHIA MUSEUM OF ART PHILADELPHIA, PENNSYLVANIA 19101

OFFICE OF THE DIRECTOR

DR. EVAN H. TURNER

REGRETS

THAT HE IS UNABLE TO ACCEPT

THE KIND INVITATION OF

EDITH GREGOR HALPERT

TO A

HOUSEWARMING PARTY

AND

EXHIBITION PREVIEW

AT

THE DOWNTOWN GALLERY

TUESDAY, SEPTEMBER 8, 1965

I respectfully submit that this statement shows on its face that the Commissioner is attempting to legislate, and to do so in an area that is plainly outside of his authority. His powers relate to the regulation of public markets and to the enforcement of laws relating to weights and measures. The plaintiff art dealers do not sell or expose or offer for sale their works in public markets. They do not sell those works by weight or measure.

- 7. The art dealers object to the regulation as applied to their business not because they are "trying to charge what the traffic will bear" or because they wish to engage in "cutthroat competition". Their conviction that application of the regulation to their business is wholly arbitrary stems from long standing and entirely legitimate methods of doing business, as shown in the annexed affidavit of Mr. Thaw.
- 8. For the reasons stated by Mr. Thaw, it is submitted that, as applied to dealers in works of the fine arts, the Commissioner's regulation is arbitrary and capricious, and that the enforcement thereof would cause the plaintiff art dealers irreparable injury. To prevent that injury, plaintiffs seek an injunction pendente lite.
 - 9. An order to show cause is requested in order that plaintiffs' motion for an injunction pendente lite may be brought on at the earliest

HELEN W. BOIGON, M.D. 45 EAST 93ND STREET NEW YORK 26, N. Y. September 9, 1965

Dear Edith.

I can't quite imagine what else would have moved me out of bed in my state of infection to go present my sick self in public, but I just couldn't forego your "housewarming " -- and, as never before, my imprudence paid off. It was a most heartwarming and memorable occasion. I suppose a good part of my appreciation of the aesthetic aspect of the new gallery came from a sense of the agony and the effort that went into creating it in that Era of Apathy. It isn't only that craftsmen of all kinds have no care. They seem beset by destructive daemons that make them destroy other properties as they are supposed to effect some necessary change in the area of their own work. Enowing a little of what went on in preparation of this place, it was twice as gratifying to hear the expressions of pleasure from many persons who were not talking for effect, nor aware of being overheard. I may have been slightly deaf, but I'm still a snooper!

You looked like a grand duchess of the Imperial Court, and if I knew what to say to you, or what pill to give, so that you would justly feel like one I would surely do this. Everybody from Bris Mirsky and Mrs. Ankrum to George Morris, Rattner, and Morris Broderson, and from the wealthy patrons to the poor admirers was overflowing with gratitude and relief that the Downtwn Gallery was still their flourishing shrine. It wasn't only the personal commentaries of genuine love for you, but also the emanation of need for you and what you represent in our lives, that touched me so much. I wish it would permeate you enough so that it would act as some kind of anodyne agains' the painful times in which we all must abide.

ar to problishing information reporting sales transactions, surchers are responsible for obtaining written permission in both sales and purchaser involved. If it cannot be oblished after a reasonable search whether an artist or obtainer is living, it can be positished for years after the date of sale.

GUMPS

8/9/65

Dear Edith Thunks for your nice note from London. Hope your trip was huge Success & you did manage to ked. Please let me Know what the Mactain are Justinend for treatment Thane been an vacition the part few days, but have theen in Sump's all day today. There I have better leave town. Have been their king Stant buying a Lause to

UNCE 186

90 Houkness House. 1 East 75th St. NewYnk.

Muguet 28th.

Dear Mrs. Halpen.

Spoke to you about wanting to brug a paniting on velver of the early 19th century. I am particularly found of the fruit or store still lines and the muted prink and seen colours but a bluish one might do. I realize that what I am booking for will be expensive and probably would only want a very good quality one.

When you one able to so through

September 9, 1965

Mr. Nicholas Brown
The Leicester Galleries
4 Audley Square
London W. 1, England

Dear Mr. Browns

When you return the Weber "Rush Hour," 1915 and the O'Keeffe "Red and Green #2," 1916 which I mentioned in my earlier letter, would you be good enough to include the William Zoruch painting, "Pelican Cage, Central Park," 1917in the same shipment? This work is also scheduled for exhibition very shortly.

Thank you very much for your prompt attention in this matter.

Sincerely,

Tracy Miller

THEFE

門後のなけると

I am interested in submitting some of my prints to your gallery. Could I send a selection of woodcuts for your inspection? Or, if you prefer, I could bring a postfolio of my work to your gallery about the middle of September.

Your consideration will be very much appreciated. I am enclosing a self-addressed, stamped envelope for your prompt reply.

Yours very truly,

Mary Goslew

Mary Geslen

Bethania, North Carelina 27010

August 9, 1965

August 25, 1965

Professor Sheldon H. Wood, Jr. University of Visconsin Madison, Wisconsin

Dear Professor Wood:

Mrs. Halpert of The Downtown Gallery wrote me requesting a photograph of a Sheeler landscape which I understood you wish to get for purposes of a monograph you are currently writing. Unfortunately, I have only recently been able to get the painting photographed and am enclosing a glossy black and white print for your use. If you require anything in addition, do not hemitate to contact me.

Sincerely yours,

Richard C. Leahy

RGL:es cc: Mrs. Edith Relport

I was in Chaingo hat week and happened to see the Stant Amon who gentine at the Austratute. It was wort in pursoin. A son your oil "Bosts. Showether" and an still besinated with it; and if you ever come to part with it please left me know.

Rul.

However, I am enclosing several other suggestions for you. If any of these impress you, as I think they should, I will be glad to send them on for consideration. Of course, I am referring to the original works of art.

After the worst and most agonizing period of several months, supervising the rebuilding of these new quarters I think we will be ready for visitors in time for the opening on September 7th. I am referring to the Preview Party. And I certainly hope that it will be possible for you to be in New York to belp us celebrate the event.

My very best regards.

Sincerely yours,

eng/√

Enclosures

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Prior to publishing information regarding sales transactions, researches are responsible for obtaining written permission from both artist and purchases involved. If it cannot be established after a reasonable search whether an artist or purchases is living, it can be assumed that the information may be published followers after the date of sale.

August 20, 1965

Mrs. Maurice Reboor 1817 Billerest Road The Villa Bomita Apartments bl Hollywood, California 90028

Dear Mrs. Retmer!

Thank you very much for your kind letter of July lat. While it is true that the Gallery is closed during July and August, I am taking this opportunity of answering in Mrs. Halpert's behalf. Since Mrs. Halpert is in and out of the Gallery now, I will see to it that your reply reaches her as soon as possible.

I would very much appreciate your sending along the photograph you mention. Since it is the policy of the Gallery to make no offers, would it also be possible for you to include the price you are asking for the downy cabinet together with the photograph?

Thank you once again for your interest and I will be anxiously awaiting your reply.

Sincerely,

Bobert J. Grode Secretary to Mrs. Halpert

R.10 * *

JACOB SCHULMAN 38 NORTH MAIN STREET GLOVERSVILLE, NEW YORK

August 9, 1965

Mrs. Edith G. Halpert The Downtown Gallery 465 Park Avenue Ritz Towers New York City

Dear Edith:

Enclosed herewith is a contemplated list of paintings, sculptures and ceremonial art to be exhibited at the Munson-Williams-Proctor Institute in Utica starting October 10. I am also enclosing a copy of my statement for the accompanying catalog.

The Museum has asked me to contact Mr. Ben Shahn to ascertain whether he can be available to lecture on Saturday evening, October 9, at the Members' Preview and lecture. These that he can accept this invitation.

I am earnestly looking forward to your being with us that evening and I did not wish to impose on you at this time the responsibility of making a lecture. I hope you can appreciate that my first choice always would be - Edith Halpert.

We have just returned from a wonderful trip to Israel. The new Museum was an exhibarating experience and while they do not have an imposing collection of paintings, they have a great archae-clogical and ceremonial art collection. The Billy Rose Gardens are breathtaking. Karl Katz was most considerate and asked me to extend his very best wishes.

I trust you had a good trip to Europe.

Looking forward to seeing you soon and with kindest regards, I am

Sincerely,

JS:KB Enc. Jack

Type of Operation (Cont'd)	4	Maximum Permissible bours of use
Establishments serving regular	meals	
Breakfast		2 hrs.) Total
Lunch	***************	3 ") 8
Dinner,	*******	3 ") hrs.
Cafeterias	••••••	8 hrs.
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Garage Control	Late day	10 "
Personal service:	and the second	
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	6 6	before meeting is over.
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Amusement Places Bowling lanes, Billiard Pa	arlors, Dance Halls,	etc 6 hrs.
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Places of Public Assembly		
Auditoriums, meeting halls of worship, funeral parlor theatres, sport arenas, ca	s, exhibition halls.) On ½ hr. before) use - off ½ hr.) before vacating.
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HARVEY PROBBER SHOWROOMS, INC.

165 EAST SATH STREET, NEW YORK 22, N. Y.

TEMPLETON 8-8040

August 4, 1965

Miss Edith Halpert The Downtown Gallery 465 Park Avenue New York, N.Y., 10022

Dear Edith:

You are quite right. The symbol on either side of the figure \$126.00 refers to 'each'.

I would be delighted to come to your opening.

Sincephy,

HARVEY PROBBER

President

HP/ss

DALLAS - 490 DECORA

CHICAGO - 635 MERCHANDISE MART

FACTORY . PALL RIVER, MASS.



INCORPORATED

Founded in 1947 by Mr. and Mrs. J. Watson Webb

SHELBURNE, VERMONT

Office of the Director

August 6, 1965

Burlington 162-9646 Ares Code 102

MUSEUM

Mrs. Edith Gregor Halpert Director THE DOWNTOWN GALLERY 465 Park Avenue New York City, New York

Dear Mrs. Halpert:

The enclosed article about your lecture should do away with all doubts about the quality of your talk. The review - to me and others - is excellent. You came across like a pro. Hope you had a successful and pleasant visit to Skowhegan.

Wishing you success with your new address. In haste but with every kind wish.

()

Sincerely yours,

Bradley Smith

Ass't to the Director

BS/hl Enclosure August 13, 1965

Mr. Willard Commings Red Ferm Skywhegen, Maine

Dear Bill:

The trip home was delightful. The Lindens delivered me to the Boston air terminal after a ninety mile per hour drive on the throway, with the sun and a welcome breeze and only one stopover, in my favorite seafood place in Portsmouth, New Hampshire. When I arrived I felt as if I had had a long long vacation. My stay in Showhegan was just what the doctor ordered, and I am most grateful to you and to Jack for making it so pleasureable. I still think that the school is number one in the country, and hope that your teenagers are every of their good fortune and the unique opportunity they have in every detail.

I am not very good at thank you letters, but I am most grateful for the hospitality and affection which is mutual.

I hope to see you when you return, and hope too that the Gallery will be finished and open as scheduled. Littens too that it will be passible for you to attend the preview on September 7th. If not, we will have a special celebration when you arrive.

Loren

P.S. - When I unpacked I discovered that a Topas
necklace is a fabric container was missing.
Did I heave it in Showhegen by any chance?
In my befuddied state, I heep heaving things
wherever I go, and the only other alternative
would be the Notel at which I stayed in Shelburne.
If Bryan recalls the name, could you drop me a
note and I will write there--with my fingers creased.

ARMET,
WELLES Corp.

Metals Corp. · ENTRANCES . STORE PRONTS · CURTAIN WALL

· ALUMBAUM

44-11 54th DRIVE

MASPETH 78, NEW YORK .

EMPIRE 1-3664

. STAINLESS

STHONE

Cont'd. Page - 2 -

Aug. 24.

THE PARTY OF

We therefore insist that you send your field man immediately to adjus. .. one doors and get us out of tog house with our enstoner.

Please advise.

Yours wuly,

J. margolan S. Margolin - President

SM/PY

col Mr. Smith B. S. Mc cann 630 5th Avenue sew York, N. Y. SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK

ART DEALERS ASSOCIATION OF AMERICA, INC., DOWNTOWN GALLERY, INC., ANDRE EMMERICH GALLERY, INC., FAR GALLERIES, INC., SIDNEY JANIS GALLERY, INC., PIERRE MATISSE GALLERY, INC., BETTY PARSONS, d/b/a BETTY PARSONS GALLERY, PERLS GALLERIES, INC., PAUL ROSENBERG & CO., SAIDENBERG GALLERY, INC., E. V. THAW & CO., INC. and WILLARD GALLERY, INC.,

COMPLAINT

Plaintiffs,

-against-

ALBERT S. PACETTA, as Commissioner of Public Markets of the City of New York,

Defendant.

Plaintiffs above named, by their attorneys Rosenman Colin Kaye Petschek & Freund, complaining of defendant allege that:

- 1. Plaintiff Art Dealers Association of America, Inc. (herein called "Association") is a corporation duly organized and existing under the Membership Corporations Law of the State of New York. It is a non-profit organization organized to promote the interests of those engaged in the business of dealing in works of fine arts and for related purposes. It has 62 members, of whom 50 are art dealers in the City of New York.
- 2. Each of the other plaintiffs (herein called the "plaintiff dealers") is a member of plaintiff Association. Each of them, other than plaintiffs Betty Parsons and Paul Rosenberg & Co., is a corporation duly organized and existing under the

of time before being offered, some are displayed after they have been sold, and others are reserved, or held under option, for particular purchasers. At no time do I display or otherwise publicly announce the price for which any work is offered for sale.

- 4. A work of art is not a standardized product. It cannot be priced on the basis of cost of production or any other objective factor. Each work is unique. Works of the same size by the same artist may vary widely in quality and therefore in price. The quality of a work is a matter of judgment, dependent on individual tastes which vary substantially. Price is influenced not only by the quality of the individual work but also by public taste, which undergoes material change from time to time. Artists and schools of art rise and fall in popularity. The actions of museums, of important private collectors and of critics may cause rapid changes in the market.
- 5. The sale of works of art is unlike the sale of groceries or a pair of shoes. It is a task which calls for specialized skill of a subtle character. The purchasers are for the most part sophisticated individuals. They include museum directors and informed collectors. The dealer gets to know their personal tastes, interests and buying habits. When an important work is obtained, the dealer may display it first to a particular prospec-

Supt 8, 1965 I hope your opening went of By the way - John t Hop pero your ocheduled surgery.

Enclosed is the alleght

ting " Burgo meis les with trey Signed L.L Jan JeJoraine Pounted 1926 Collection - Kalaman or Sultoto of art: Place our own py as but in Flent 1961 and Delnoit 1962

Prest

The Washington Post

1515 L STREET, N. W. REPUBLIC 7-1234 WASHINGTON 5, D. C.

Director Downtown Gallery 465 Park Avenue New York, New York Enting,

16th August, 1965.

Dear Sir:

I am writing to ask if you would be so kind as to place my name on your mailing list for advance notice and publicity about your exhibition program.

Yours truly,

Andrew Hudson Art Critic chers are responsible for obtaining written permission both artist and purchaser involved. If it cannot be jubed after a responsible search whether an ertist or seer is living, it can be assumed that the information to published 60 years after the date of sale.

august 17 Plan EH-I have no stationery bereat the beach where incommunicate after some tal frustration and aggravation bill have to go back eg, of course will be back permanently in New York on Deptember 18th - not as early as you would like I know - But also not as late as I had heare I think it is highly possible that mill be able to con my way in before that and any large that I promise to be it the Gallery and on feel deety. Can't promise this but niel try. Ot any rate, ofter the 18th, the future now.

Jeel as though I should write something chatten but haven't the strength right now. Till see you in Deptember and me'll have a night out to dish this geculiar summer. Lie then -

Much love,

Tracy Miller

nior to publishing information regarding sales transaction respectance are responsible for obtaining written permissio om both artist and purchaser involved. If it cannot be athilished after a responsible search whether an artist or probaser is living, it can be assumed that the information by be published foll years after the date of sale.

E. S. MCCANN AND SON, INC.

630 FIFTH AVENUE, NEW YORK, N. Y. 10020

August 23, 1965

The Downtown Gallery 465 Park Avenue New York, New York

Attention of Mrs. E. Halpert

Re: Alterations to your space

Gentlemen:

We enclose herewith a copy of letter from Armet Architectural Metal Corp. sent to Kawneer Co. regarding your new entrance doors.

We are ordering the following work to be done this week to complete our contractual agreement:

- 1. Patch all holes or missing tiles in acoustic ceilings.
- Clean gray slate vinyl floors.
- 3. Repair bulb in toilet. --

These are the final items of work to be completed as per our agreement of August 10, 1965. We also submit herewith our additional bill for extres and credits as discussed.

We hope the above will clean up this job and may we expect our final payment at once.

Very truly yours,

E.S. MC CANN & SON, INC. By:

W. SMIT

JWS/KG Encl. Greetings from Sauta Monica



to publishing information regarding sales transactions, exhars are responsible for obtaining written permission both artist and purchaser involved. If it cannot be liabed after a reasonable search whether an artist or baser is living, it can be assumed that the information be gublished 50 years after the date of sale.

August 11, 1965

W. S. Hedworth and Son 424 West 52nd Street New York, New York

Gentlemen:

This is to inform you that the William Torach sculpture, "Floating Figure," is to be packed and shipped issediately to the following address:

Atlanta Art Association 1200 Peachtree Street Atlanta 9, Georgia ATTWs Dr. Gedmund Vigtal

Packing and shipping charges will be paid by the Atlanta Art Association and the insurance will also be handled through the Association.

Thank you for your prompt attention in this matter.

Sincerely.

EOS:TE

ce: Dr. Gadmand Vigtel



EVERSON MUSEUM OF ART

of Syracuse and Onondaga County, State and James Streets, Syracuse, N.Y. 13205 GR 4-6064

Office of the Director

August 27, 1965

Mrs. Edith Halpett The Downtown Gallery 465 Park Avenue New York, New York

Dear Mrs. Halpert:

The Everson Museum is presenting an exhibition AMERICAN PAINTING FROM 1830 as the major offering of the 1965 Fall Season. We plan to include about seventy works, drawing wherever possible from our own permanent collection. Additional works will be borrowed from museums and private collections. The exhibition dates are December 3, 1965 through January 15, 1966.

Through a grant from the New York State Council on the Arts, we are publishing a well-illustrated catalogue which will document this exhibition. It will further serve as a handbook for students, teachers and museum docents who are responsible for guiding school tours through the Museum.

As we are particularly interested in the use of this catalogue as a reference book on American Painting, I have asked Alfred V. Frankenstein, noted writer and aet critic, San Francisco Chronicle, to prepare the Introduction to this catalogue.

This past week we have reviewed our collections with Mr. Frankenstein, and he expressed particular interest in borrowing a seascape by JOHN MARIN, preferably a watercolor of the Maine Coast.

As we are now in the process of compiling catalogue information, I enclose loan forms for your convenience in answering this request. All transportation and insurance charges will be covered by Everson, and works should be shipped to arrive by November 12, 1965.

August 13, 1965

Mr. Nathaniel Saltonstall 43 Commerwealth Avenue Baston, Massachusetts

Bear Mat:

The Stuart Davis arrived while I was getting culture in Vermout and Maine, and I was pleased to see it on my return. The Purchase Invoice, together with a check are now enclosed.

I was greatly disappointed that your visit to Signifegan preceded mine, and that again I missed seeing you. Perhaps we can get together in the near future.

Incidentally, I was greatly impressed with the changes and I was delighted with the building you had designed. I stayed on much longer than I had originally planned but could not resist Bill, the activities and of course, the beautiful terrain, etc. It was wonderful- among other things- to get away from the problems of the rebuilding program which exceeded any of the agonies I had expected in these modern times with a five-hour working day, if it can be called that in relation to the past. It is only today that I am beginning to see some daylight and no matter what other disappointments may occur, will open with a private preview on September 7th. I certainly hope you will arrange to be with us on that day. The official invitations will be smiled next week.

Monthile, my were regards.

Affectionately,

BEH/v

ERNEST BROWN & PHILLIPS LTD

PIRECTORS:
OLIVER P. BROWN, O.B.B.
PATRICK I, PHILLIPS
NICHOLAS B. BROWN
B. C. PHILLIPS

THE LEICESTER GALLERIES 4 AUDLEY SQUARE LONDON WI

TELEPHONE: MAYPAIR 1159 . TELECRAMS: AUDAX AUDLEY LONDON . CARLES: AUDAX LONDON WI

PLP/JCO

26th August, 1965

Mrs. Halpert, Director, The Downtown Gallery, 465 Park Avenue, New York, N.Y. 10022.

Dear Mrs. Halpert.

Many thanks for your letter of August 17th addressed to Nicholas Brown, who is on vacation.

I am extremely sorry to have to tell you that no further sales were made beyond the watercolour by Charles Demuth. Several pictures were reserved from time to time, and we are still pursuing a number of enquiries which may lead to business. It is all very regrettable in view of the heavy costs involved, and it is difficult to explain why this should be so, although of course a great many of our English private clients found the pictures expensive. No doubt our economic situation and our present Government has not helped, and money has become very tight over here.

We had an exceptionally heavy Press with very favourable notices, far more material than we have had for some considerable time. The Critics' programme on the radio was also very well done. I am collecting all the press cuttings together with the transcript of the radio programme, and will send them to you when they are complete, which will probably be within a few days.

Nicholas Brown asked me if you could spare a catalogue of the Marin exhibition at the University of Arizona, Tucson, for one of our English clients, as we are not particularly anxious to let go the one that you left with us.

I hope that we may have further news for you before the pictures are returned.

With kindest regards,

Yours sincerely,

Fahrish Phely

rior to publishing information regording sales transactions, escarchers are responsible for obtaining written permission riom both artist and purchases involved. If it cannot be gashished after a reasonable search whether an artist or urchaser is fiving, it can be assumed that the information may be published 60 years after the date of sale.

August 16, 1965

Mr. Graham Porter Commerce Trust Company Enmons City \$1, Missouri

Dear Mr. Porter:

As the Gallary is officially closed and I was in London to attend the opening of a Downtown Gallary exhibition held at the Leicester Gallary, I did not hear the very sad news about Mr. Kamper's death until a few days ago. I send my condelences.

It may seem to be bed taste to bother you at this time regarding the Rattner exhibition but since we are opening the Gallery in our new quarters (please note the change of address on the latterhead), and are starting plans for sutside exhibitions very shortly, I am eager to escertain when you wish to have the exhibition take place at the Commerce Trust Company, You't you please let me know at your earliest commence.

Thank you for your courtesy.

Sincerely yours,

20E/v

No

UNIVERSITY OF KENTUCKY

W

LEXINGTON, KENTUCKY 40508

CENTENNIAL 1885-1965

COLLEGE OF ARTS AND SCIENCES

August 6, 1965

Mrs. Edith Gregor Halpert The Downtown Gallery 465 Park Avenue New York, N.Y. 10022

Dear Edith,

Thanks so much for your letter of 30th which followed me on vacation.

The enclosed letter went out as a feeler to all private lenders and institutions, but not to you, because I didn't think you would want to tie up your pictures for so long. It was Lloyd Goodrich who suggested I try the museums in the metropolitan New York area because he thought it should be seen there. It appears unlikely now, though I haven't tried Newark. The letter will also explain why the show is being extended. I hear today that the Currier Gallery also wants to be included in the circuit which Robbins is arranging. When I spoke to him on the phone way back at the beginning of this extension business, I told him I was too swamped to work on exhibition schedules beyond Utica. So this he is doing.

I remember you told me that Studio Table was to be in your opening show, but you thought it still could be sent to Lexington. In the Cabin also could be withdrawn before the end of the show if you need it.

Where Miss Jacobwitz got the idea there would be no catalogue is not known to me. I did tell her, as I recall, that the catalogue had grown into a monograph, but it will be ready, P.V., by October 8 with two color plates (MCMA) and a slew of reproductions, a checklist of all Spencer paintings, and noting all the paintings in the show. Sorry if the misunderstanding upset you. Strictly speaking, it's not a catalogue, but it is Spencer's first monograph.

I hope your summer will be a pleasant one. I'm going clamming in two minutes!

All regards,

Wich

P.S. I longhanded this letter to Lexington to be typed and signed for me.

c/o Burditt; Box 292, Humarock, Mass.

287.077

43 COMMONWEALTH AVENUE

August 21, 1965

Mrs. Edith G. Halpert Dewntown Gallery 465 Park Avenue New York, New York 10022.

Dear Edith:

Thank you so much for sending me your check for \$1,200.

I shall certainly try to be there for the private preview on September 7th and have put it down on my calendar.

It will be a great occasion, and I know in your new location it will be the start of a whole new life for you.

Affectionately yours,

Nathaniel Saltonstall

August 23, 1965

W. B. Hedworth and Son 424 West 52md Street New York, New York

Gentlement

Owing to some confusion in the shipping instructions sent by the Corcoren Callery in Weshington, D. C., the George L. K. Morris painting, "Girl with a Mirror," 1954, owned by Nr. and Mrs. John C. Marin, Jr., was incorrectly sent to Nr. Morris' studio at 1 Sutton Flace, South, New York. The painting "Mackensack Meadows," 1950, which is owned by Mr. Marry Frelinghuysen was delivered to Nr. Marin's spartment at 945 Fifth Avenue, New York. These works must be picked up at the above addresses and delivered to the fallowing addresses

Girl with a Mirror, 1954 <u>TO</u> Mr., and Mrs. John C. Marin, Jr., 945 Fifth Avenue New York, New York

Hackensack Meadows, 1956 TO Mr. Harry Frelinghuysen 17 West 54th Street New York, New York 10019

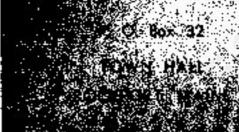
I would appreciate your taking care of this transfer of the printings immediately. If you will call the Gallery when you have made arrangements with Mr. Frelinghnyson for the delivery of his painting, arrangements can be made for the admission of your men to Mr. Morris' studio and Mr. Marin's spartment.

Details concerning payment for this shipment should be worked out between yourselves and The Corcoran Gallery.

Thank you for your prompt attention in this matter.

Sincerely,

BOH;rg es: Mr. Richard A. Madigan, Asst. Director, Corcoran Gallery



August 16, 1965

Mrs. Edith Halpert, Director Downtown Gallery Ritz Tower Concourse 465 Park Avenue (57th St.) New York, N.Y.

Dear Mrs. Halpert:

Perhaps you remember meeting me at the Skowhegan School party a week ago Friday evening. At the time I mentioned to you that we had just sold William Zorach's bronze "Reclining Cat."

Arrangements for exhibition and sale of this work were made directly through the artist. At the time of time of the sale, the price of which was \$1700, Mr. Zorach asked me to write to you about a possible split commission between MAINE COAST ARTISTS and your gallery. When we deal with independent artists, we ask a 25% commission; However, when artists are under contract to another gallery, we have been able to arrange split commissions in case of sales, in most cases of 15%.

We are hoping, of course, that you will allow us some kind of a commission. Ours is a cooperative group, depending on commissions from sales to take care of the greater part of overhead, although we do have painon support to add to the kitty.

Upon hearing from you, I will send you the balance of the sales price after deducting our commission. Mr. Zorach seems very pleased that we were able to sell the piece, and of course both the customer and we are proud to have been of assistance to the artist.

Helen K. Parker, Director

Sincerely your

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK

ART DEALERS ASSOCIATION OF AMERICA, INC., et. al.,

Plaintiffs, .

AFFIDAVIT

-against-

ALBERT S. PACETTA, as Commissioner of Public Markets of the City of New York,

Defendant.

STATE OF NEW YORK)
COUNTY OF NEW YORK)

RALPH F. COLIN, being duly sworn, deposes and says:

- 1. I am a member of the firm of Rosenman Colin Kaye Petschek & Freund, attorneys for the plaintiffs in this action. I am also Administrative Vice President of the plaintiff Art Dealers Association of America, Inc., a corporation organized under the Membership Corporations Law of the State of New York (herein called "Association"). I make this affidavit in support of plaintiffs' motion for an injunction pendente lite restraining the enforcement of a regulation promulgated by the defendant Commissioner of Public Markets.
- 2. The plaintiff Association was organized to promote the interests of those engaged in the business of dealing in works of fine arts and for related purposes. It is a non-profit organization and enjoys

federal tax exemption. It has sixty-two members, fifty of whom have galleries in the City of New York at which paintings, sculptures, drawings and other works of art are exhibited and offered for sale.

3. Plaintiffs are about to commence this action by service of the summons and complaint, a copy of which is annexed hereto, for declaratory relief and an injunction against the enforcement by the defendant Commissioner of Public Markets of the City of New York of a regulation promulgated by the Commissioner on July 28, 1965, to take effect August 15, 1965. That regulation reads as follows:

"Regulation 49. - Display of Retail Price Required.

"Any commodity, whether edible or inedible, sold, exposed for sale or offered for sale at retail, shall have conspicuously, plainly and clearly displayed the price per unit of weight, dry or liquid measure, or numerical count by a stamp, tag or label or by a sign at the point of display."

4. When announcement of Regulation 49 appeared in the press, I examined the statutes which define the authority of the Commissioner of Public Markets and reached the conclusion that they do not authorize the adoption of that regulation. I also concluded that even if the regulation is valid as applied to certain businesses, it would be arbitrary and capricious to apply it to the business of dealers in works of fine art. Under date of August 2, 1965, I addressed a letter to the Commissioner stating that, on

August 17, 1965

Mr. Richolas Brown

Ernest Brown & Phillips Ltd.

The Leicester Galleries

4 Andley Square

London, V.1, England

Dear Mr. Brown:

Thank you for your letter.

After I left London I was obliged to make another trip this time only to New England and this is the first opportunity I have had to enswer it.

Naturally I am deeply disappointed both for us and you that the exhibition had such a dreadful start, opening on the most unfortunate day for all the world and us. I had hoped that you might have found some way to counteract this by arranging for a special press review, and communicate with some clients who did not attend the opening for obvious reasons. In any event, I trust that some additional sales had been effected, Incidentally, I thought I saw a star on the painting by Isami Doi, as well as on the Demnth.

Regarding the latter, I know of no painting of the 1918 period available. There is a great scarcity of Dennth's work and the interest has grown transmissaly in recent years as it has with all the other artists in the group. If by any chance I came across a watercolour in the category you mentioned, I will communicate with you promptly.

Meanwhile, would you be good enough to send me whatever press notices you have already set aside for me and any future duplicates so that I may have a complete file.

Many thanks for all your courtesies. My best regards to all the other charming directors of your firm.

Sincerely yours,

Steel Glide Distributors, Inc.

Architects Building N. W.

101 PARK AVENUE New York, N. Y. 10017

Telephone: 683-1723

TERRACE ENCLOSURES

SOUND PROOFING

DUST PROOFING

Specializing in Window:

August 31, 1965

Mrs. Edith G. Halpert 465 Park Avenue New York, N.Y. 14E

Dear Mrs. Halpert:

Enclosed is our Invoice #362 covering the installation of one window in your apartment.

We hope you will find everything to your complete satisfaction and that you will enjoy the absence of soot, drafts and a reduction in noise as a result of this installation.

Inasmuch as payments are due upon completion of the installation, may we have your remittance in the amount of \$171.15 to cover? A self-addressed, stamped envelope is enclosed for your convenience.

Please accept our thanks in advance and thank you once again for your valued patronage.

Sincerely yours,

STEEL GLIDE DISTRIBUTORS INC.

The state of the

Paul Peet

PP:rmt encl.

Weather Stripping:

Mode of Stoinless Steel for the Front Entrance of your Apartment, will eliminate Dust - Soot - Orafts and Sound.



60

Kitchen Gans:

Installed in a complete unit, when for is not in operation a sliding glass closes off fan making a perfect seal.

SUPREME COURT OF THE STATE OF NEW-YORK

ART DEALERS ASSOCIATION OF AMERICA, INC., et. al.,

Plaintiffs,

AFFIDAVIT

-against-

ALBERT S. PACETTA, as Commissioner of Public Markets of the City of New York,

Defendant.

STATE OF NEW YORK } SS.:

EUGENE V. THAW, being duly sworn, deposes and says:

- 1. I am president of E. V. Thaw & Co., Inc., one of the plaintiffs in this action. I make this affidavit in support of plaintiffs' motion for a preliminary injunction against the enforcement of the regulation ("Regulation 49") recently promulgated by the defendant Commissioner of Public Markets of the City of New York insofar as that regulation would require the display to the public of the price of each work of art exposed or offered for sale.
- 2. I am advised that the adoption of Regulation 49 exceeded the statutory powers of the Commissioner, and I understand that plaintiffs' attorneys are challenging the validity of the regulation on that ground. In this affidavit I shall set forth

rior to publishing information registing sales transactions, asserchers are responsible for obtaining written permission rose both artist and purchaser involved. If it cannot be established after a reasonable search whether an artist or purchaser is living, it can be assumed that the information may be published 60 years after the date of sale.

THE MINT MUSEUM OF ART CHARLOTTE NORTH CAROLINA

September 8, 1965

Miss Edith Halpert The Downtown Gallery 32 East 51 Street New York, New York

Dear Miss Halpert:

September 21, 22 and 23, I shall be in New York with a few Trustees to select paintings, sculpture and graphics for a collectors' sales exhibition set for October 12th through 31st.

The first collection shown last October resulted in \$43,000.00 in sales to collectors and purchases as museum acquisitions. The Museum covers costs of shipping, cratingand insurance, from gallery through exhibition and return to gallery.

I would appreciate the opportunity to include objects from your gallery in this exhibition, and to see you on this trip.

Please let me know when it would be most convenient for you.

Sincerely,

Robert W. Schlageter

Director

RWS: bu

COUNTY OF NEW YORK SS.:

RALPH F. COLIN, being duly sworn deposes and says:

I am a Vice President of plaintiff Art Dealers Association of America, Inc., a corporation created and existing under the laws of the State of New York; I have read the annexed complaint and know it to be true to my own knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters I believe it to be true.

T Joy -7 Colin

Sworn to before me this 18 day of August, 1965

NOTARY PUBLIC. State of New York

Qualified in New York County Commission Expires March 30, 1967

- (b) Enjoining defendant, preliminarily during the pendency of this action and permanently thereafter, from enforcing or attempting or threatening to enforce Regulation 49 against any of the plaintiff dealers or any other art dealers who are members of plaintiff Association.
- (c) Granting such other, further and different relief as to the Court may seem Just and proper in the circumstances, together with the costs and disbursements of this action.

ROSENMAN COLIN KAYE PETSCHEK & FREUND Attorneys for Plaintiffs 575 Madison Avenue New York, New York 10022

August 30, 1965

The Downtown Gallery 465 Park Avenue New York, New York 10022

To: Joe Mayer, Comet Ray Letter Service

Please REMOVE from our CUSTOMER list:

Mrs. Marguerite Cullman 480 Park Avenue New York, N.Y.

Mr. Harry Wolff V H. Wolff Book Manufacturing 508 W. 26th St. New York, N.Y. Mr. & Mrs. Malcolm Hoffman X 5440 Independence Ave. Riverdale 71, N. Y.

Mr. Walter Werner X 3234 Reservoir Rd. N.W. Washington 7, D.C. Mr. & Mrs. Harry Lynde Bradley V 136 West Greenfield Ave. Milwaukee, Wisconsin

... and from our PUBLICITY list:

Dr. Alfred Frankfurter, Editor Art News 4 East 53rd Street New York, N. Y.

... and from our ARTIST list:

Mr. Charles Sheeler X Dow's Lane Irvington, N.Y.

Please make the following new stencils:

PUBLICITY
Mr. Andrew Hudson, Art Critic X
The Washington Post
1515 L Street, N. W.
Washington 5, D. C.

Mrs. Harry Lynde Bradley 136 West Greenfield Avenue Milwaukee, Wissonsib ARTIST
Mrs. Charles Sheeler
Dow's Lane
Irvington-on-Hudson, New York

MUSEUM
Grippi and Waddell
15 East 57th Street
New York, New York 10022

Thank you for your promot attention. It is important that these changes be made before the run-off of the attached envelopes.

Sincerely yours,

Tracy Miller

expense it would take now to make the adequate installation. Maybe someday... But this is no place for regt-or peace- tho the givet silence and clear distilless singless s of mooming tide of month wassians...contewnalactury East Hampton, Southampton Spain Amaganisett, Briggepungtonig where arichitects, along, Cold whaling days spirit till whe of churches old complete frass troot side walks, the sold look of the Rarely America dignity



August 19, 1965

Mr. Ben Shahn C/ODowntown Gallery 32 East 51st Street New York, New York

Dear Mr. Shahn:

The Directors of Collectors Gallery of Miami have selected you as one of the outstanding American painters. In doing so, the committee seeks to present a great collection of work by contemporary American painters at the First American Art Masters Exhibition to be held during the coming winter season in Miami, Florida.

The committee invites you to submit one painting to the forthcoming exhibition. All costs of packing, shiping and insurance will be undertaken by the committee.

A jury of award will, just before opening of the exhibition, make their awards in the amount of \$10,000 for first prize; \$7,500 for second prize; \$3,000 for third prize; \$2,500 for fourth prize; \$1,500 for fifth prize; and \$500 for sixth prize.

The jury of award will consist of judges of the calibre of the director or prominent staff member of the Museum of Modern Art, the Art institute of Chicago, the Los Angeles Museum, the Boston Museum of Fine Arts and the Museum of Fine Arts of Houston.

Date of the exhibition will be February 1 to March 1, 1968, at Collectors Gallery, located in the Gulf American Land Corporation building at Biscayna Boulevard and 79th Street, Miami, Florida.

The banquet preceding the exhibition will be held January 30, 1985. The jury of award will meet on the afternoon prior to the banquet and will make their selections. The awards will be made at the formal banquet.

A cocktail party will be held at Collectors Gallery on the night of January 31. Proceeds of this affair will go to a noteworthy cause to be selected later.

Prior to publishing information regarding sales transactions, researchers are responsible for obtaining written permission from both artist and purchaser involved. If it cannot be established after a reasonable search whether an artist or purchaser is living, it can be assumed that the information may be published 60 years after the date of sale.

the to publishing information regarding sales frames assembers are responsible for obtaining written pernum both artist and purchases involved. If it cannot stablished after a reasonable search whether an artist inchase is living, it can be assumed that the information published for years after the date of sale.

Museum of Art

Carnegie Institute 4400 Forbes Avenue Pittsburgh 13 Pennsylvania (412) 621-7300

September 8, 1965

Mrs. Edith G. Halpert The Downtown Gallery 465 Park Avenue New York, New York

Dear Mrs. Halpert:

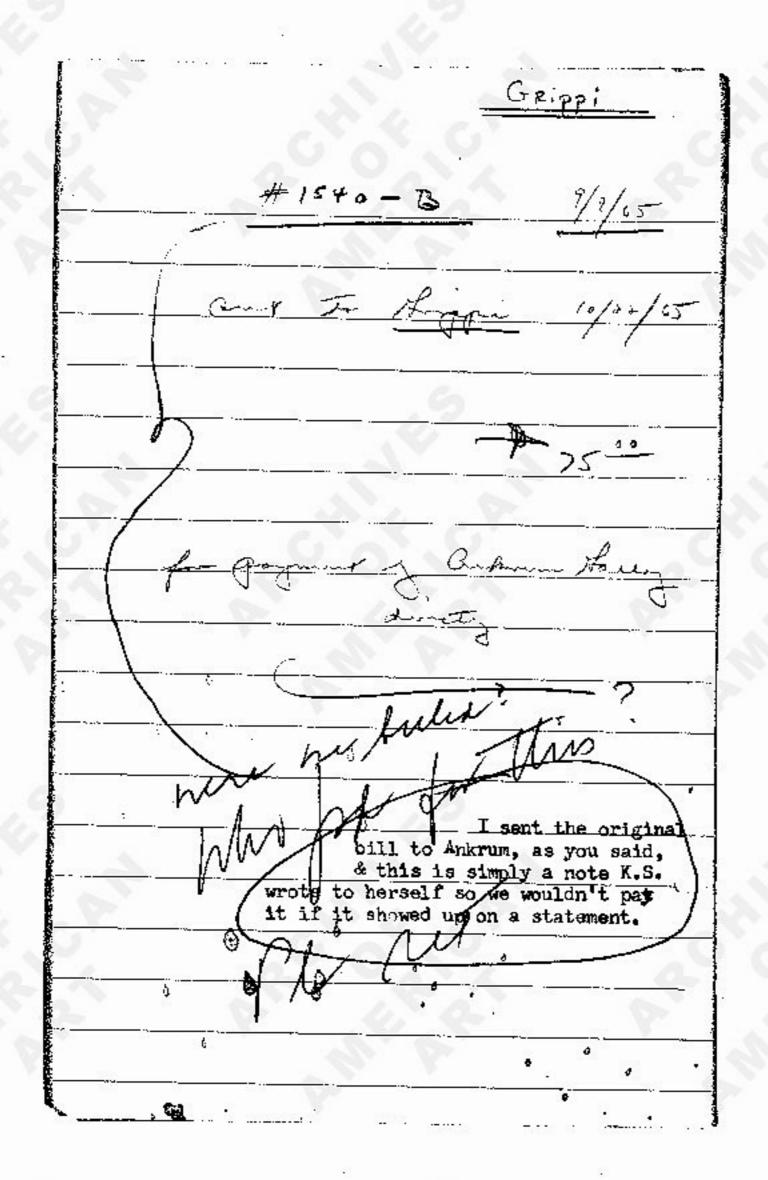
I am sorry I could not get to the opening of your new gallery, but I wanted to send you my best wishes and to say that on my next trip to New York I shall look forward to visiting you.

Sincerely yours,

A. m. Froschurt

Director

GvG: ca



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my reputation and standing as a dealer. Furthermore, if it is the Commissioner's purpose to prevent such a practice, the Regulation would not accomplish it. It would inevitably lead to the quotation of unrealistic prices. In order to protect against contingencies, the dealers would have to set the quoted prices at more than they expect to get. This would lead to bargaining in every case, with the very result which the Commissioner is apparently trying to avoid.

9. In pricing a work of art, I rely on my subjective judgment as to the quality of the work, with which others might disagree, and upon my experience and knowledge of the market. I know of no other way in which art works can be valued. Often I will hold a work for some time before deciding what price it should bring; and in many such cases I show the work to good clients with the understanding that I am not yet ready to set a price. On occasion, I receive an offer to buy a work at a stated price before I have decided upon the price to ask. In purporting to treat works of art as though they were ordinary commodities like groceries or household appliances, the Commissioner has wholly ignored the complex factors which make the art market what it is. As applied to that market, the regulation, I submit, is completely unrealistic, arbitrary and capricious.

Acension small bronze	\$ 500,00	
Child on Pony Stone	8500.00	20070
Lovers - stone (man and woman)	10000.00	N 250
Tese into Woman - wood	7500,00	
Praying man - wood	5,000.00	
Also available are the following:		
Child on Pony - bronze	4,500.00	4,9
. Artists Wife - stone life size	7,500.00	
Bronze cat (see Wingert pl 28)	3,500.00	
Bronze Hound (see Wingert Bauer pl38)	3,500.00	"C, Q, 'C,
Youth wood (Bauer pl 40	7,500.00	S- 16-14
Head Gertrude stone (BAuer pl66)	7,500.00	
Head Porphry (Bauer pl 88)	8,500.00	
Seated Danver stone	8,500.00	
Two brazillian walnut panels large Available to be cast:	15,000.00	(bronze \$10,000)
Large Mother and Child (Metropolitan)	15,000.00	(Only two more casts)
Spirit of Dance Larger (Radio City)	15,000.00	(Only three morecasts
Head of Moses	5,000.00	((three more)
Family	3,500.00	20,0,70
Embrace large Bessen	10,000.00	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
Invocation (Lament) Large Browze (Life)	10,000.00	(Never cast)
Victory Bronze torso	4,500.00	
Torso bronze (see BAuer pl35)	6,000.00	
Vita Nova	10,000.00	
New Horizons large life size	10,000.00	
Horse bronze	2,500.00	

Mrs. Mary Ocelen
Bethania
Morth Carolina 27010

Dear Mrs. Ocelens
Thank you very much for your letter of August 9th and for letting as see your biography.

Unfortunately it is the policy of the Callery to handle only those prints which are produced by the painters and soulptors in our own roster. Most of these artists have been connected with the Callery for any years and at the present time we are not adding to our years.

Thank you again for your interest, however, and best wishes for

Sincerely,

Robert J. Grode

your work.

The Corcoran Gallery of Art Washington, D.C. 20006

HERMANN WARNER WILLIAMS, JR.
DIRECTOR AND SECRETARY

METROPOLITAN 8-3211

September 10th, 1965

Dear Edith,

I was so glad to be part of the celebration honoring you on the opening of your handsome new quarters at the Ritz Tower. I was very much touched to see the distinguished people who thronged in to pay you homage.

I am going to be in New York on the 23rd and 24th of September, and would very much like to see you. Is either of those days convenient for you for dinner? I think we are both due for a celebration after the long and arduous summer!

Cordially yours,

Director

Mrs. Edith Gregor Halpert Ritz Tower 465 Park Avenue New York, New York

Held - hum

THE SAN ANTONIO ART LEAGUE

WITTE MEMORIAL MUSEUM

BRACKENRIDGE PARK

SAN ANTONIO 9. TEXAS

TAYLOR 6-0647

August 24, 1965

Downtown Gallery 465 Park New York, New York

Dear Sir:

I have been trying to get in touch with Mr. Ben Shahn with no success. I fear either that he is out of the country or that I have the wrong address, which is Roosevelt, New Jersey.

I am enclosing a self addressed envelope and will very much appreciate information as to his whereabouts at this time.

Thank you so much.

Mrs. Jam adams

Mrs. Tom T. Adams, Jr. San Antonio Art League

Taken by The Barn.
Illuch love of See you
boon lach



INCORPORATED

Founded in 1947 by Mr. and Mrs. J. Walson Webb

SHELBURNE, VERMONT

Office of the Director

September 8, 1965

Burlington \$62-9646 Area Code 102

Dear MRS. Halpert,

It was most thoughtful of you to have invited me to attend your Housewarming Party and Exhibition Preview at the new Downtown Gallery.

I am sure that it was a success. I hope that your new address will make 1966 your best year yet.

Let's hope that you will return to Shelburne next year. It was wonderful to have spent some time with you while you were our Guest Lecturer.

15 RANZES Smith

With kindest wishes,

Prior to publishing information regarding satel transactions researches are responsible for obtaining written permission from both artist and gurchaser involved. If it cannot be established after a reasonable search whether an artist or purchaser is fiving, it can be assumed that the information may be published 60 years after the date of sale.

Dewntewn Gallery 32 East 51st Street New York, N. Y.

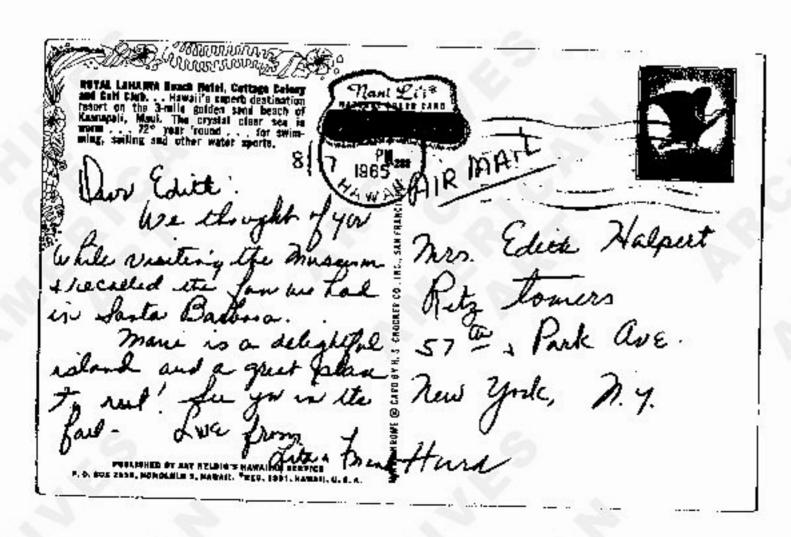
Gentlemen:

Your name has come to me through the Print Council of America which states you are a subscriber to Standards for Print Dealers.

I am enclosing biographical data along with places where my work has been exhibited.

Hy prints have been accepted for exhibition by many outstanding jurers, among whom are Katherine Kuh; Hebson Pitman; Rebert Gates of Washington, D.C.; Edward Bryant of the Whitney Museum; Derothy Miller and William Lieberman of the Museum of Modern Art; Adelyn Breeskin of the Washington D.C. Gallery of Modern Art; and, C. V. Donevan of the Cranach Museum, University of Illinois.

My woodcuts have also met the approval of Robert Hale and Hyatt Hayer of the Metrophlitan Museum of Art; Una Johnson of the Brooklyn Museum; and, Karl Kup of the N. Y. Public Library who recently bought one of my prints for the Library's collection.



A might view of vorge St. looking south from States we are out of the post care of the post o

In short, the required announcement of a price for each work of art exposed or offered for sale would drastically and injuriously affect the manner in which the art business is conducted. The wide availability of the price of a work decidedly lessens its desirability to many prospective purchasers. The work becomes "shopworn", or "burned" in art world parlance. This is shown by the experience with works which have been sold at auction. Because the sale price becomes well known, it is often difficult to obtain its true value on resale, even after there has been a change in the market. For this reason, many works which are bought at auctions abroad are brought here for sale, and those bought here by dealers are often sent abroad for resale.

12. The threatened enforcement of the present regulation would place works of art now in the hands of dealers in the same category as those which had just been sold at public auction. Immediate and irreparable injury would result. To prevent that injury, the immediate relief of a preliminary injunction is required.

Eugene V. Thaw

Sworn to before me this

day of August, 1965.

JOSEPH H. SCHNABEL TARY PUBLIC. State of New York No. 24-3512785

Qualified in Kings County Certificate filed in New York County Commission Expires March 30, 1967

- 10 -

August 28, 1965

Mrs. Tom T. Adams, Jr. Witte Memorial Museum 3801 Broadway San Antonio, Texas

Dear Mrs. Adams:

Thank you for your letter of the 24th. It's true that Mr. Shahn has been away from home recently and he fragmently doesn't answer his mail promptly.

The safest course of action is to send the letter directly to us here at the Gallery. Since we are his representative, all arrangements are handled through us and we will be happy to see to it that your communication is forwarded to him promptly, wherever he may be when the letter is received.

Sincerely,

Robert J. Grode

RJGsa

August 16, 1965

Mrs. Giovanna Bowsky Art Shop, Art Calleries The University of Nebraska Lincoln, Nebraska 68508

Dear Mrs. Bounkyt

In checking through our records here, it has some to my attention that the following works were consigned to you on June 26, 1964:

Stehing

John Marin

Skyserapers in Construction 1930

The Lobster Fisherman

1948

Would you be good enough to drop me a line advising we of the current disposition of the works and when we may expect their return? Maturelly, we would appreciate having the works returned as soon as possible.

Thank you for your prompt attention in this mether.

Sincerely,

Robert J. Grade

BJO:

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- 6. Upon information and belief, Regulation 49 was issued by defendant in violation of law and without jurisdiction in that said regulation is not authorized by any provision of the Agriculture and Markets Law of the State of New York, the New York City Charter or any other statute, local law or ordinance, and is not within the rule-making power of the Commissioner; and said regulation is null, void and of no legal effect whatever.
- 7. Upon information and belief, even if Regulation 49 was issued pursuant to statutory authority of the Commissioner, such authority extends only to the regulation of public markets and to the enforcement of laws relating to weights and measures and may be applied only to commodities which are sold, exposed for sale or offered for sale at retail in public markets or by weight or measure. The works of fine arts sold, exposed for sale and offered for sale by plaintiff dealers are not sold, exposed for sale or offered for sale in public markets and are not sold or offered for sale by weight or measure.
- 8. Any application of Regulation 49 to plaintiff dealers and other art dealers who are members of plaintiff Association would cause serious interference with their business and cause them substantial and irreparable injury, which cannot be justified by the exercise of any of the powers granted by law to defendant Commissioner. Such application of Regulation 49 would be arbitrary and capricious.



IEUM PUBLISHERS 162 EAST 38 STREET NEW YORK CITY 10016 MURRAY HILL 5-3010

September 8, 1965

Mrs. Edith Gregor Halpert The Downtown Gallery 465 Park Avenue New York, N.Y.

Dear Mrs. Halpert:

After several days absence I returned today to find your kind invitation to your housewarming party, so this letter is part apology for not having responded (as your card requested) and part an expression of sorrow for my having missed what I'm sure was such a splendid event.

I wish you much happiness in your new quarters (although It's hard to conceive of you out of the context of 51st Street), and I look forward to seeing you there in the very near future.

Again, thank you for your kind invitation.

Sincerely,

Harry Ford

Registered

The Downtown Gallery 32 East 51st Street New York 22/N.Y. U.S.A.

KINDLER UND SCHIERMEYER VERLAG AG 6000 MUNCHEN 23 · FRANKFURTER RING 247 TRLEGRAMME KINDLERVERLAG MUNCHEN FERNSCHREIBER (TELEY) DEUTSCHE BANK AG MUNCHEN, KONTO 45 100 Bankhaus Neuvians, Reuschel & CO. MUNCHEN, KONTO 6 999 POSTSCHECK MUNCHEN 60 84

KINDLERS MALEREI LEXIKON

Ihr Zelahen

Three Nachricht vom

Unser Zelohen Li/pö Datum 19.8.1965

Rights of Reproduction

Dear Sirs.

For volume III of our encyclopedia of paintings, I kindly ask you for the rights of reproduction concerning.

KUNIYOSHI "Eva" (black-and-white)

Eve in the Garden of Eden.

In order to facilitate your work I take your agreement for granted if we do not receive an answer to the contrary within a fortnigth.

ia augilier toppel

Yours faithfully,

(Dr. Rolf Linnenkamp)

Chefredakteur

Stellvertreter Nine Kindles Vorstand Willy Roth Stellvestrater Ernst Not - Dr. Hans J. Reiber

August 30, 1965

Mrs. Edith Halpert, Director Dowtown Gallery 465 Park Avenue (57th St.) New York, N.Y.

Dear Mrs. Halport:

Since I have had no reply since my letter of August 16 to you concerning the amount of commission you would allow MAINE COAST ARTISTS on the sale of Zorach's "Reclining Cat", and since we are about to close for the season and we would like to settle accounts before Septomber 6, I am taking the liberty of enclosing our check to Downttown Gallery in the amount of \$1445.00. This represents a 15% commission to us deducted from the \$1700 sales price (\$1700 less \$255 commission to us).

If this arrangement is not satisfactory to you, please let us know the difference. Other New York galleries have allowed us 15% commissions on sales of paintings loaned to us.

M = L

(Mrg.)

Helen K. Parker, Director

Sincerely yours

10 10 PB

, 1965

August 13, 1965

Mrs. M. K. Pershing Assistant Archivist Archives of American Art 5200 Woodward Avenue Detroit, Michigan

Deer Mrs. Pershing:

The Gallery is closed during the month of July and August but I am obliged to supervise the final details of the remodeling of our new quarters (please note the change of address on the letterhead), and have just found your letter referring to a transcript presumably sent to me on December 11th. This, unfortunately, has never reached me but I did receive the publication which contained a report of the Sheeler interview.

I trust that the transcript you mentioned was a copy made from your records as it would be very sad indeed if the original had been lost. Purhaps the change of address had sensthing to do with the non-receipt of the papers. Incidentally, would you be good enough to send a copy of the publication to Mrs. Charles Sheeler, whose address is " Dow's Lane, Irvington-on-the-Endson, New York.

Many thanks for your cooperation.

Cordially.

LIZ/v

At a Special Term, Part II, of the Supreme Court of the State of New York, held in and for the County of New York, at the County Court House, in the City of New York, on the 17th day of August, 1965.

PRESENT:

HON. EDWARD T. McCAFFREY,

Justice.

ART DEALERS ASSOCIATION OF AMERICA, INC., DOWNTOWN GALLERY, INC., ANDRE EMMERICH GALLERY, INC., FAR GALLERIES, INC., SIDNEY JANIS GALLERY, INC., PIERRE MATISSE GALLERY, INC., BETTY PARSONS, d/b/a/ BETTY PARSONS GALLERY, PERLS GALLERIES, INC., PAUL ROSENBERG & CO., SAIDENBERG GALLERY, INC., E. V. THAW & CO., INC. and WILLARD GALLERY, INC.,

: Index No. : 12850-1965

ORDER TO SHOW CAUSE

Plaintiffs,

-against-

ALBERT S. PACETTA, as Commissioner of Public Markets of the City of New York,

Defendant.

Upon the summons and verified complaint herein and the annexed affidavits of Ralph F. Colin, sworn to August 18, 1965, and Eugene V. Thaw, sworn to August 17, 1965, and sufficient cause appearing therefor, it is

ORDERED, that defendant show cause at a Special Term, Part I of this Court, to be held in and for the County of New York, on the 2 day of August, 1965, at 9:30 A. M. or as soon thereafter as counsel can be heard, why an order should not be made restraining defendant, his agents and attorneys, pendente lite from enforcing or attempting or

THE UNIVERSITY OF NEBRASKA Lincoln 8, Nebraska

ART GALLERIES SHELDON MEMORIAL ART GALLERY

August 20, 1965

Mr. Robert J. Grode The Downtown Gallery 465 Park Avenue New York, N. Y. 10022

Dear Mr. Grode:

Your letter to Mrs. Bowsky has reached my desk and I hasten to explain the misunderstanding which has developed. The two prints by John Marin were retained here for the specific reasons, that in one case we had decided to acquire the "Skyscrapers in Construction" for the University's permanent collection, and in the other for the reason that the print which we had placed in a frame has been on rental from our Art Shop for sometime, and we have reason to believe that the rentor plans to purchase. It is my expectation that the University purchase of "Skyscrapers in Construction" can be taken care of in the early fall as funds become available through quarterly dividends. In the instance of the other picture we will check at once to ascertain the intentions of the person who has the picture. However, if for any other reason these works should be returned at once we will be pleased to do so upon your instructions.

Sincerely,

Norman A. Geske

Director

NAG:bjs

rior to publishing information regarding sales transactions searchers are responsible for obtaining written permission run both artist and purchaser involved. If it emport he stablished after a reasonable pearch whether an artist or archaect is living, it can be assumed that the information

LOS ANGELES COUNTY MUSEUM OF ART

5905 Wilshim Boulevard, Les Angeles, California 90036 Telephone 937-4250

August 27, 1965

Mrs. Edith Halpert, Director The Downtown Gallery 465 Park Avenue New York, New York 10022

Dear Mrs. Halpert,

Your letter of August 16 addressed to Mr. Larry Curry has come to my attention. Larry is now on leave of absence from the Museum, carrying out research in Washington, and will be back in the fall. I believe he plans to visit you in New York in early September.

We did indeed receive your photographs. I regret that at this time I cannot ask that any paintings be sent out here. I hope this situation may change in the near future.

It would be my pleasure to see you this fall on my next trip to New York City.

Very truly yours,

Maurice Tuchman

Curator of Modern Art

MT . fh

CC: Larry Curry



THE CITY OF NEW YORK DEPARTMENT OF

WATER SUPPLY, GAS AND ELECTRICITY

OFFICE OF THE COMMISSIONER -NUNTCIPAL BUILDING HEW YORK, H. Y. 10007

August 26, 1965

Mr. Howard Connor, Jr. Ritz Tower Park Avenue at 57 Street New York, N.Y. 10022

Dear Mr. Conner:

Re: Ritz Tower - Park Ave. at 57 Street, N.Y.C. Two Sealed Areas File No. 8-405

The Air Conditioning Advisory Board has reviewed your August 23 request for a variance from Rule 147A governing the use of air conditioning systems using New York City water.

Enclosed is a copy of such variances approved and effective August 19, 1965.

Item No. 1 is the variance determined by the Air Conditioning Advisory Board to be applicable to the two sealed areas described in your request.

Inasmuch as the variance states that all rules and regulations shall apply after the "pull-down", we are also enclosing a copy of the rules and regulations.

We hope that this letter and the enclosures will provide the clarification which you requested. And we will be grateful for your cooperation in this emergency.

Sincerely yours,

Gerard T. Macys Deputy Commissioner

DEPARTMENT OF WATER SUPPLY, GAS & ELECTRICITY

August 19, 1965

The following variances from Rule 147A restricting the hours of use for air conditioning using City water have been recommended by the Air Conditioning Advisory Board:

- To relieve the immediate hardships in office and commercial buildings, sealed because they are expressly designed around air conditioning, a "pull-down" period shall be temporarily allowed. This period shall be the time required to attain 81° F. inside temperature or three (3) hours, whichever is the lesser. All rules and regulations shall apply thereafter.
- where workshifts overlap, permissible time for use of air conditioning may be prorated. For example: if there are two separate workshifts, one beginning at 8 A.M. and ending at 4 P.M., the other beginning at 12 P.M. and ending at 8 P.M., there are 12 hours of operating time from the beginning of the first shift to the end of the second. Permissible time for use of air conditioning would be computed by prorating the time on the basis of 75% of the 12 hour span of operating time. (75% x 12 hrs. = 9 hrs. permissible time.)

A workshift shall be comprised of a substantial number of the personnel who perform the major work activity in the air-conditioned area. For example: if the major work activity is clerical, the permitted hours of air conditioning for an office shall apply; if the major work force is involved in machine operation, the permitted hours of air conditioning for a factory shall apply.

3. The Weather Bureau shall be given special permission to air condition their sealed instrument room as required.

These variances are hereby approved and effective

immediately.

Gerard T. Macys Deputy Commissioner

nor to publishing information regarding sales transactions, meanwhers are responsible for obtaining written permission rom both artist and purchaser involved. If it cannot be stablished after a reasonable search whether an artist or replacer is living, it can be assumed that the information say be published 60 years after the date of sale.

August 13, 1965

Mr. William B. Walker Librarian MCPA/MPG Library Smithsonian Institution Washington , D. C.

Dear Mr. Walker:

Thank you for your nice note.

Just as soon as our immediate problem of remodeling the Gallery is completed I will send you a large collection of additional catalogs and various other material which may be of interest to you. Subsequently, I hope to find an opportunity to locate additional files containing equally was pertinent data - and eventually may get at the books which are stored in several warehouses. If you have sufficient facilities, I may arrange to add many other records from time to time- and in my new Will, will arrange to have the balance of the material assigned to your library as well.

Cordially,

RGB/v

151 Norfolk Street New York, New York 10002 August 12, 1965

Mrs. Edith Gregor Halpert Ritz Towers 57th & Park Avenue New York, New York

Dear Mrs. Halpert:

Thank you for your time Thursday. I sincerely hope your feeling re: the Marsden Hartley painting will be vindicated by your comparative analysis.

As to my potential employment, let me assure you that as your assistant I would not fear dirtying my hands. A comprehensive and immediately available inventory is no luxury; it is an absolute necessity. Your idea of sending membership type cards is quite good from a psychological point of view as well as "beatnik" insurance.

Upon leaving I walked up the marble stairway. For what it's worth, my feelings suggest the avoidance of union personnel such as elevator men whenever possible. Thus, concise directions from desk to stairs should aid in preserving the motivating attitude which brought the client to you in the first place. No one wants to wait in line to spend their money. More about this at our next meeting.

You've got an excellent showplace that literally cries for competent management during those periods when you find it necessary to be absent from the Gallery. A faithful implementation of your ideas should proceed smoothly and without unnecessary review.

Thank you again for your graciousness.

Cordially,

Dion O'Wyatt

Blon Owyall



BBN NORMAN, T.F. Director of Operations

August 26, 1965

Mrs. Edith Halpert The Downtown Gallery 32 East 51st Street New York, New York

Dear Mrs. Halpert:

This is a request for information and advice.

Several months ago, I bought what I was told is an original Ben Shahn numbered and signed lithograph from the Paul Kantor Gallery in Beverly Hills.

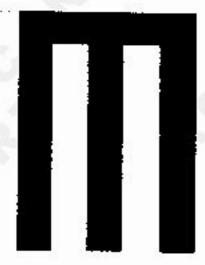
This Sunday, The Los Angeles Times carried the enclosed article by Henry Seldis, which contained a reproduction of the print I bought with the story that Shahn had never authorized this edition.

Paul Kantor tells me Seldis is wrong, that the fraudulent edition is something else, that my copy, numbered 120/200, is authentic and authorized, and that the signature is genuine. He tells me that he has had this particular print for about 10 years. He has offered to refund the purchase price if I have any doubts.

6063 Sunset Boulevard - Hollywood, California 90028 Dial 469-7311

Harbor L. Is NA Se'ht. 10'65 earEdith tel. 725 03 58 new aglery was a brilliant a arrear send-of non. and from & gathered, the commente you did we've on what filled with braise ve didn't have but alk net the exchances with you of a glan an eye an dapa milenwerd now you tone and spirit of most everyone to know.

rior to publishing information regarding tales transaction tescenhers are responsible for obtaining written permission on both actist and purchaser involved. If it cannot be stablished after a reasonable search whether an artist or archaser is living, it can be assumed that the information sy be published 50 years after the date of sale.



Pl much gar 1 Denne fraison

MILWAUKEE ARY CENTER, 750 M. LINCOLN MEMORIAL DRIVE, MILWAUKEE, WIS. 61202

AIR MAIL

September 10, 1965

Mrs. Edith Halpert Downtown Gallery 465 Park Avenue New York, New York

Dear Edith:

With regard to my recent letter, I plan to stop by the gallery at 2:00 P.M., Wednesday, September 15. Hope to see you then.

Sincerely,

Tracy Atkinson

Director

TA: mh

Prior to publishing information regarding sales transactions, researchers are responsible for obtaining written permission from both artist and purchaser involved. If it cannot be established after a reasonable search whether an artist or purchaser is living, it can be assumed that the information may be published 60 years after the date of sale.

August 11, 1965

Downtown Gallery 32 East 51 Street New York, New York

Gentlemen:

This letter is written in regard to item No. 50 in the Stuart Davis Memorial Exhibition formed by the Mational Collection of Fine Arts, Smithsonian Institution, which is entitled "Barbershop Chord", 1931, lithograph, Edition of 25.

Are there any copies of this work available at the present time. If so, please movies as to number, cost, state, and whether they are signed.

Sincerely,

Enrold E. Rayburn

13./65 have not han favour a righty this letter. a righty to this letter. a righty to this letter. Dayburn should be appreciated to Rayburn should be \$269

a trowing modern gile with wide streets intrestively modern concrete buildie Wreachest Hirothing at night 11:00 pont was greated by my your desidered his Il willow & said not know som to station we took to taking to niho-made to village that escaped the blast and in this standes of ancesthal avoi house, small old divides at hi village entracki, we highwhather and walked on a merrow land hardby five-feel will cotbled and slightly paved, no streetlights Quietty, we walked and only the tooksteps asult he heard. Strangery the sale releson I felt that some this land tigo a had once walked on this some land the faller had always need this lone) a Bicycle rider almost bungled into me the jongle of the bed worke bunged into me, and the come horse Bur Doi house was very old but well kept peapants byll-in the fendal ages. No windows all sliding doors, (skoji, and paper doors) no Keys or lackes in fact no privacy of ell that night & slept on to plan life he al do, and worke up refreshed early mills morn & stroked beignrely metaly, still feeling I was in a fairly land ! > com bruell the fresh fruits, wegetfoles, ate on our stally and - to rook nearly to ple the months of the kill prevent to duett from their boat about added in word of welcome & This of crowded village. Each tetory didn't have plumbing,

August 27, 1965

Downtown Gallery ATT: MISS EDITH HALPERT 465 Park Avenue New York, New York

Dear Miss Halpert:

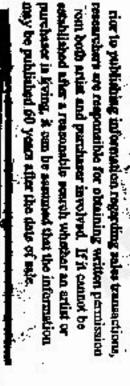
Lynne S. Mayo of the Metropolitan Museum of Art has refered me to you in requesting permission to reproduce Charles Sheeler's, "The Golden Gate" for use in our grade eight textbook. The picture has appeared once before in our previous textbook: Porter-Terris-Gordon: American Literature. Because of this, the original transparency will not be needed since we are able to obtain the duplicate positive.

Miss Mayo had said she would be happy to issue the permission forms to us as soon as she receives a letter, or copy of a letter from you, agreeing to the release. It would be highly appreciated if you could take care of this as soon as possible since our publication deadline is so close at hand. I regret the rush but thank you very much for taking care of this.

Most sincerely,

Kay P. Angelides

Elementary Art Department





WARREN ALPERT

PLAZA 5-5000

August 31, 1965

Mrs. Edith G. Halpert Ritz Tower - Apt. 14E 465 Park Avenue New York, N.Y.#10022

Dear Mrs. Halpert:

Many thanks for your invitation to the Housewarming Party and Exhibition Preview at The Downtown Gallery.

I am happy to accept your invitation, and I certainly look forward to attending on Tuesday, September 7, 1965.

Just recently I ran into Marty Alien of the Allen & Rossi comedy team, who is a very active art collector. He is quite interested in your work, and I know he would enjoy the opportunity of attending your Party and Exhibition Preview. An invitation can be sent to him at the following address...

Mr. M. Allen 50 Sutton Place New York, N.Y.

Kindest regards.

Sincerely,

WA/ms

Warren flyers

August 16, 1965 Mr. Charles Hagel Bmithsonian Institution Matigual Portrait Gallery Washington, D. C. 20560

Door Charles:

Director

Please forgive me for not acknowledging your very charming latter long before but no doubt you have heard what difficulties I have had with the rebuilding program at our new address - plus the fact that I have not been very well. At the mement, after a trip to London to attend the Downtown Gallery exhibition at the Leicester Gallery I returned in time to fulfill an engagement for a lecture at Shelburne, and am now back again attacking the mail that has accumulated, as well as supervising the - what I hope will be - finishing touches in the Gallery so that we can make the September 7th deadline for our Preview Party which I sincerely hope you and Incy will attend. Invitations will be sent out shortly.

I agree with you that the Stuart Davis exhibition was beautifully installed and that the catalogue was excellent. I have been seeing quite a number of your confreres and am very mighimpressed with the entire setup at the Smithsonian Institution, and will continue to cooperate in every way. If I can spatch a day or two to skip to Washington I will drop in to say hello to you. However, I do hope that you will help us celebrate our houseverning.

My very best regards to you and Imcy.

Sincerely yours,

Mr. James Buith E. S. McComm and Son Inc. 630 Fifth Avenue New York, New York

Dear Mr. Smith:

As you know, I have been and still amounte ill and have not had the energy to sit down and talk to you about the many unfinished details in connection with this job. As a matter of fact, I hired a painter to repaint the sculpture cabinets because the electricisms nessed them up to a point where it was impossible to remove all the spots everywhere with any of the detargents, etc. Finally, most of our racks have been delivered, despite the fact that the orders were placed weeks and months ago. I have hired someone to take charge of installing all the paintings in the racks and by the end of this week the floors will be clear, with no obstructions in the way of pictures, etc.

You still have to complete the electrical work. The various fixtures or spots have also been received after a long wait and before final installation it will be necessary to test one of each in the given spots and - as I hope they are estimfactory - the installation may be completed. There are other details which we can discuss.

I have to leave town for the balance of this week, but as returning on Sunday, somewhat rested I trust. I would very much appreciate your coming in on Monday at any time you specify to go through all these matters so that we can actually finish up the job. We start benging the paintings shortly.

Thank you for your cooperation.

Sincerely yours,

如 /七

Prior to publishing information regigining sales Entractions, we exceed an area responsible for obtaining written permission from both artist and purchaser involved. If it cannot be established after a reasonable search whether an artist or purchaser is living, it can be assumed that the information may be published fill years after the date of sale.

The Villa Bonita Apts.41
Hellywood, California, 90028
Tel. (unlisted) 46-37980.

August 23,1965.

The Downtown Gallery
465 Park Avenue
New York, N.Y.10022
Attention Mr.Robert J.Grode

Dear Mr. Grade,

I have your letter dated August 20, which arrived just in time, since it so happens, that - after having received numerous effers and 1 might add, without beasting from both leading Museums and substantial advanced collectors - there is one, among the latter, who is building a winter home, out in Polm Springs, asking me to accept an adequate down-payment, and reserve my rarissime dated and signed cabinet, which -being of original finish qualifies as being of Museum standard..... for him.

Yes, this party offers me the price I always endeavored to get to wit three thousand dellars. However, if Mrs. Halpert, as a leading, expert dealer is satisfied with a reduction of 500 \$\pi\$ i.e.a net price for her of 2500. \$\pi\$, and is making a down payment of a mere 1250 \$\pi\$ before the first of September and the rest at the time of shipment, I give her the preference.

The enclosed photo, taken at the storage room at considerable cost, by a Hollywood art photographer, is the only one, I possess and Mrs. Halpert will no doubt be able, to judge at first glance, and after re-reading the description in my July letter - that this happens to be " the real Mc Coy. " A gem impossible to dublicate.....

May therefore request, that you ask Mrs. Hapert, either to send me the above mentioned downpayment in a certified (cashiers) cheque or return the photo.

Thanking you

Marianne M.Rubner (Mrs.Maurice Rubner.)

Photo.

- 9 September 1965

Mrs Edith Halpert Director The Downtown Gallery 32 East 51 Street New York, N.Y._10022

Dear Mrs Halpert:

Could you please give us an appraisal for the following painting in the S.C. Johnson & Son, Inc. collection:

Charles Sheeler: SUN, ROCK AND TREES #2: oil: 1959

Thank you.

Sincerely yours,

\$ 20,0000

531 Madison Avenue: New York City 21: TR 9-2250

Prior to publishing information regarding rates transactions, researchers are responsible for obtaining written permission from both artist and purchaser involved. If it cannot be established after a reasonable search whether an artist or purchaser is giving, it can be assumed that the information may be published 60 years after the date of rais.

Prior to publishing information regarding sales transactions, rescarchers are responsible for obtaining written permission from both artist and purchaser involved. If it cannot be established after a reasonable search whether an artist or purchaser is living, it can be assumed that the information may be published 60 years after the date of sale.

ART DEALERS ASSOCIATION OF AMERICA, INC. 575 Madison Avenue New York, N.Y. 10022

August 24, 1965

Mrs. Edith G. Halpert Downtown Gallery 465 Park Avenue New York, New York

Re: Art Dealers Association, et al. v. Albert S. Pacetta

Dear Edith:

I am enclosing herewith for your information a copy of the summons and complaint and the order to show cause with the affidavits on which it was based in the above action in which your firm is one of the plaintiffs. Since you are a party to this action, you should have a copy of these papers for your files.

As you will notice, the order to show cause is returnable this morning, August 24. As we expected, the corporation counsel of the City of New York appeared on behalf of the defendant, Commissioner Albert S. Pacetta, and asked for additional time to reply. The court granted the application and put over the argument to Thursday, September 9, conditioned however, at our request, on the Commissioner refraining from enforcing his regulation against the art dealers until after the argument.

If you have any question about this proceeding, please do not hesitate to communicate with me.

Sincerely,

Ralph F. Colin

RFC/sr Enclosures

nor to publishing information regarding sales transactions, sourchers are responsible for obtaining written permission on both artist and purchaser involved. If it cannot be stabilished after a reasonable search whether an artist or exclusive is living it can be assumed that the information sy be published 50 years after the date of sale.

EBNEST BURWELL TRYON, NOBTH CAROLINA

August 26, 1965

Miss Edith Halpert The Downtown Gallery 465 Park Avenue New York, N. Y. 10022

Dear Miss Halpert:

Pending our conference with you in New York next wonth --- would it be asking too much to give us your opinion as to whether the painting shown by the enclosed photograph is a good buy? ? ?

The canvas is 24 X 28, overall 32 X 36, done by Charles Cousin, a 19th century French artist who was an official member of the Beaux Arts in Perpetuity; and the painting itself is a Paris Salon Gold Medal work.

Cousin worked with Ziem and you will note that the painting is very much in the Joseph William Turner style. Turner is said to have influenced Cousin's work.

The painting was obtained in London last month by a friend who is willing to sell it. We have it hanging in our home at the moment, and must make an immediate decision.

The colors are very beautiful -- blue sky, Mediterranean blue water, red sails on the fishing boats with excellent Impressionist color and reflection --- very pleasing.

Think we can buy it for \$1000.

Please don't bother to write a letter -- just a comment note on the extra copy enclosed and return the photograph by next mail. Shipping labels, stamps, etc., enclosed for your convenience.

We will discuss the painting more at length when we see you. With thanks in advance and best wishes.

Most sincerely,

Ernest Burwell

EB: gcd: twp

business is done with other dealers. I often acquire works with the knowledge that other dealers are in a better position than I am to sell them advantageously. Conversely, other dealers bring works to me for which they believe that I have prospective customers. We often exchange works. If the price quoted to a dealer-purchaser were publicized, his ability to sell the work at a profit would be seriously impaired.

(c) A number of complex factors enter into the quotation of a price. Often the price must be adjusted to fit a particular situation, such as the inclusion of a different frame or the relining, conservation or cleaning of a picture. The nature and terms of the prospective sale must be considered. For example, a dealer or agent asking for a "net" price might be told one price if the transaction is to be an outright purchase and another if he merely wishes to offer the work "on speculation" to a client. A price for immediate payment may vary from one quoted to a purchaser who intends to pay over an extended period of time. In certain cases, such as purchases for museums, a discount must be allowed and the price of a work held on consignment must be adjusted in order to cover both that discount and the dealer's commission.

Prior to publishing information regarding sales transactions, researchers are responsible for obtaining written permission from both write and purchaser involved. If it cannot be established after a resemble search whether an artist or purchaser is living, it can be assumed that the information may be published followers after the date of sale.

August 18,1965

Hoffberg and Cherfest 475 Fifth Avenue New York 10017, M.Y.

My dear Mr. Oberfosts

In moving to our new location some of our bills were temporarily mislaid. All is now in order and we have on hand your duplicate bill for year ended August 31,196%.

Englosed is a check for services rendered at 32 East 51 Street Corp. The bill for the Dountown Gallery indicates a fee of \$2500, which is more than previously charged. The 1963 bill was \$2000. Insumed as Mrs. Halpert pys for her personal services asparately, I just wondered whether the statement was correct.

Nould you please advise so that a check may be forwarded to you. Very truly,

Adele B. Resenstein Rockinsper

NEW YORK UNIVERSITY

Division of General Education and Extension Services Washington Square North, New York 3, N. Y.



August 18, 1965

The Downtown Gallery 32 East 51st Street New York, New York

Gentlemen:

We should very much appreciate receiving ascopy of your exhibition schedule for the Fall 1965-66 season.

Thank you.

Sincerely yours,

Lydia Miller (d.j) (Mrs.) Lydia Miller

Liberal Arts in Extension

LM/dj

THE HIGH MUSEUM OF ART

1280 Peachtree Street, NE / Atlanta, Georgia 30309 / telephone 876 - 8232

August 30, 1965

Mrs. Edith Gregor Halpert Director The Downtown Gallery 165 Park Avenue New York, New York 10022

Dear Edith:

You will be happy to know that the Committee concerned with the acquisition of the Zorach was enthusiastic in its unanimous and favorable response to the <u>Floating Figure</u>. This is a rare thing indeed when a group of people agree on a work of art. To make up for this, they fought like cats and dogs over what kind of pedestal to use. Happily, this will not be your problem. Your check will be forthcoming shortly.

I would like to use this opportunity to thank you for making the work available to us at such a reasonable amount. Am I right that the work is dated 1922? Would you let me know at your convenience where the other casts are? I must say that I am delighted with the coloring of the piece which, I think, is even more attractive than the one with the black pating.

I expect to be in New York around the 15th of September and will give you a ring. I hope that I may come and inspect your new quarters.

With best wishes,

Sincerely yours,

GV:amb

Gudmund Wigtel Director tive purchaser whose likely interest is known. The ability to select his purchaser is of importance both to the dealer and to the artist. The placing of works in museums and in well-known private collections enhances the reputation of both. The judicious selection of purchasers by dealers has been an important factor in building the reputations of many artists. Accordingly, the dealer is often willing to sell a painting to one purchaser and not to another who is willing to pay the price. Indeed, the granting of price concessions, not only to museums, but also to established collectors and to young people who are starting to collect is often in the long-range interest of both dealer and artist.

- 6. The required public display of prices would injuriously affect the art market for a number of reasons:
 - (a) Most purchasers do not wish to have known the price which they have paid for a work. This is true of museums as well as private collectors. There is competition among purchasers as well as sellers and pride in the skill with which they operate. The ability to tell a purchaser that the price has not been quoted to others is often of great assistance in making a sale.
 - (b) Many purchasers are dealers who buy for resale. A considerable portion of my

THE BALTIMORE MUSEUM OF ART

WYMAN PARK BALTIMORE MARYLAND 21218 Telephone 889-178:

September 8, 1965

Dear Mrs. Halpert:

I have just returned to my desk from vacation to find your kind invitation to a Housewarming Party and Exhibition Preview at The Downtown Gallery, and I regret very much that we only returned on the very day itself. I'm sure it was a great success.

Sincerely,

Charles Parkburst

Director

Mrs. Edith Gregor Halpert
The Downtown Gallery
465 Park Avenue
New York, New York
10022

- I "Automatic Water Regulating Valve or device" shall mean a self regulating valve or other device the purpose of which shall limit the maximum use of City water, on units which do not have a water conserving device, to 1.5 G.P.M. per ton of refrigeration or air conditioning.
- J "Water conserving device" shall mean an evaporative condensor, water cooling tower, spray pend, economizer or similar apparatus, which device shall not consume City water for make-up purposes in excess of two (2) percent of the amount that would normally be used without such device. In addition, there shall be allowed (2) percent of the amount of water that would normally be used without such device for purpose of bleeding and wash down.

GENERAL RULES PERTAINING TO AIR CONDITIONING & REFRIGERATION

- R-AC+1: Each direct water connection to a refrigeration or air conditioning unit using City water for cooling purposes shall be equipped with a check valve set not more than two (2) feet from the unit.
- ReACE2. Each unit containing more; than 20 pounds of refrigerant shall be provided with a relief valve installed between the check valve and the unit, such relief valve being set at 5 pounds above the maximum water pressure at the point of installation.
- R-AC-3. Where the refrigeration or air conditioning system is in excess of one-third (1/3) ton the City water supply to such system shall be metered.
- ReACe4. Where City water is used to a water conserving device, the piping supplying such water shall discharge at least two (2) inches above the overflow rim of the pan.
- R-AC-5. The waste water from all systems having direct connection to the City water supply, shall be discharged into a receptable, the point of discharge (outlet of discharge piping) being located at least one (1) inch above the everflow rim of said receptable.

RULB 147

REFRIGERATION

- Rel. All systems of refrigeration equipment using City water six tons and under in any building shall be provided with an automatic water regulating valve or device on each unit comprising the installation.
- R-Z. All' systems of refrigeration using City water in excess of six tons in any building shall be equipped with an approved water conserving device. Ice outers and ice flakers, approved by the Commissioner as to method of installation, shall be excepted.
- R-3. Where the refrigeration unit using City water is one-third ten or less, and the unit is located in a metered promise, then the unit shall be connected to the metered supply.

AIR CONDITIONING

- A-C-1. All systems of Air Conditioning using City water or replacements installed on or after September 30, 1965, without approved water conserving devices, shall be less than two tons and shall be equipped with an automatic water regulating valve or device on each individual unit.
- A-C-2. All systems of air conditioning using City water of two tens or less heretofore or hereafter installed or replaced, which do not have approved water conserving devices shall be equipped with an automatic water regulating valve or device on each individual unit.
- 4-C-3. No additional air conditioning equipment using City water which does not have an approved water conscring device shall be installed in any building containing an air conditioning system totaling two tons or more which does not have an approved water conserving device.
- A-C-4. All systems of air conditioning using City water of two tons or more, installed after September 30, 1965, whether new or as replacement, shall be equipped with an approved water conserving device.
- A-C-5. All systems of sir-conditioning using City water over two tons installed prior to September 30, 1965, shall be equipped with an approved water conserving device.

ARMAND D'ANGELO Jal

resourchers are responsible for obtaining written permission remourchers are responsible for obtaining written permission rom both artist and purchaser involved. If it cannot be established after a reasonable round whether an artist or purchaser is living, it can be assumed that the information may be published 60 years after the date of sole.

rior to publishing information regarding sales transaction researchers are responsible for obtaining written permission in both artist and purchaser invalved. If it cannot be established after a reasonable search whether an artist or purchaser is living, it can be assumed that the information

HENRY L. RENEL Survey Planning

28 WEST ADAMS

WD 3.6306

DETROIT, MICHIGAN 48226

AUGUST 23, 1965

Miss Edith Gregor Halpert Director, Downtown Gallery 32 E. 51st Street New York 22, New York

DEAR MISS HALPERT:

AT ONE TIME YOUR GALLERY HAD A PAINTING, GIRL WITH BIRD BY C. L. LEWIN. SINCE YOUR GALLERY IS THE ONLY SOURCE WHO HAS HAD MR. LEWIN'S WORK DISPLAYED, I WAS HOPING YOU CAN LEAD ME TO MORE INFORMATION ABOUT THE ARTIST AND HIS WORK.

I OWN A LEWIN PAINTING. IT IS A LARGE (30 x 40) PORTRAIT OF WOMEN DRESSED IN A BLUE SPANISH-TYPE DRESS.

I WOULD LIKE TO SIND MORE ABOUT THIS PAINTING AND MR. LEWIN.

MY LIMITED RESEARCH ON HIM HAS UNCOVERED THE DOWNTOWN GALLERY AS THE ONLY LINK TO MR. LEWIN'S PAST WORKS.

I TRUST YOU WILL CONTACT ME SHOULD FURTHER IN-FORMATION BE DESIRED.

11/

SINCERELY YOUR

HENRY L. RENEL

HLR/PB





DEPARTMENT OF STATE

WASHINGTON

IN EMPLY EMPLY TO:

August 24, 1965

Dear Mr. Hurd;

I am delighted to learn from Mr. Crockett of your interest in the art world. Because of this, I am writing to acquaint you with the Art in the Embassies Program of the Department of State.

This Program is designed to place original American art in the representational rooms of U. S. Embassies, so that we may subtly and effectively present an aspect of our cultural refinements, of meaning to persons in foreign countries.

I enclose a brochure on the Program, which presents its purpose, scope and operating procedure. I shall welcome your reaction to the concept of the Program, and any ideas you may have as to possible participants.

Of course, I shall be very pleased to ensuer any questions you may have. I do look forward to hearing from you.

Sincerely

Mency P. Ketauver Advisor on Fine Arts

Frank E. Burd,
Frank E. Hurd and Associates,
9640 Santa Monica Boulevard,
Beverly Bills, California.

September 10, 1965

Mrs. Gerard Brennen Rosetown Farm Matemoras, Pennsylvania

Door Mrs. Breman:

I hope you will forgive the delay in enswering your letter of August 31st. We have just reopened the Gallery and as this is not only the opening of a new season, but our first opening in our new quarters, every working moment has been devoted to this project. I am sure you will understand.

We do indeed have the Book KUNIYOSHI, published in Japan. There are 72 pages of reproductions, many in color, in this handsome edition and the price is \$35. plus postage.

I will be very happy to put a copy aside for you and to send it to you immediately upon receipt of word that you wish to have it.

Sincerely yours,

Tracy Miller, Secretary to Mrs. Halpert CLASS OF SERVICE

This is a fast memage unless its deferred character is indicated by the proper symbol.

WESTERN UNION

TELEGRAM

DL=Day Letter NL w Night Letter TIME at point of dealination

The filing time shown in the date line on domestic telegrams is LOCAL TIME at point of origin. Time of receip

KLB004 (36) (22) SYA169

SY JAA104 RX PD FAX JAMAICA NY 26 726A EDT MRS EDITH HALPERT **BOWNTOWN GALLERY** 465 PARK AVE NYK

REGRET HUST CANCEL APPOINTMENT FOR TODAY WILL WRITE FOR APPOINTMENT AFTER YOUR SEPTEMBER OPENING CARL SOLWAY

Flair Gallery

Anslem Gallery, Inc.

DEALERS AND AGENTS IN FINE ARTS

DON 8. LEWIS PRESIDENT

800 W. BUTE STREET NORFOLK, VIRGINIA

August 13, 1965

Mrs. Edith G. Halpert Director Downtown Gallery 32 East 51st Street New York, N. Y.

Dear Mrs. Halpert:

I am writing to you in the belief that your gallery is one which truly recognizes and appreciates creative innovation in the Fine Arts. In addition, your reputation for advancing the careers of artists in whom you believe is unexcelled.

For a number of years, I have been searching for a mode of expression which would give me a maximum of artistic satisfaction and freedom. I believe that I have found this in a new concept. My cloutages are an integration of acrylic paints and metals (copper, brass, aluminum, and magnesium) nailed to board. I have enclosed color photographs of the first thirty six of my cloutages which now number more than forty works. Unfortunately, in some cases, the camera has failed to catch the jewel-like quality of the metal surfaces. The photographs are numbered in the order in which the cloutages were done so that you can see the different phases of my work. All of the cloutages are attractively framed.

I wish to thank you in advance for your consideration of my work. I would deeply appreciate the opportunity of bringing a representative group of my cloutages to New York for your evaluation, with a view to showing in your gallery at a future time. None of my work has been exhibited or placed on sale.

Very truly yours,

Don S. Lewis

exercisers are responsible for obtaining written permussion on both artist and purchases involved. If it cannot be attablished after a reasonable search whether an artist or orthoger is living, it can be assumed that the information ary be published 60 years after the date of sale.

Due to our physical set up, your painting must be no larger than six feet by six feet, including the frame. We will also need from you a good 8 x 10 glossy photograph of you and an 8 x 10 glossy of your work, plus a biographical sketch to be included in the catalogue.

Collectors Gailery is a new altruistic organization established under a grant from the directors of Gulf American Land Corporation of Miami and Baltimore.

it is our sincere wish that you, through your reputation and participation will help us to make this exhibition of such significance that it will become a great national show conducted each year.

Will you be kind enough to tell Mr. Ferris of our organization if you plan to participate. Please telephone him collect at Area Code 305, 756-2868 in Miami as soon as possible with your decision.

Sincerely yours,

L. Josen, gt.

Chairman of the Board of Trustees

LR/TF/tm

rior to publishing information regarding sales transactions searchers are responsible for obtaining written permission om both artist and purchaser involved. If it cannot be sublished after a reasonable search whether an artist or archaser is living, it can be assumed that the information my be published 60 years after the date of sale.

SUMP'S

time looking. The enclosed "thengies do not nearly make up what I would like to Send four your new gallery But maybe free can find seplace to use the penter Och truy in the Gallery. The Tomari dicher are for you. For your office or apt Sawy I Couldn't Get Le Denter trays in anger Rige. They Two 250 POST STREET + JAN FRANCISCO & . CAUPORNIA . U.S.A. . YUKON 2-1616 . CASLE ADDRESS . PALETTE

SINCE 1841

rust 27, 1965

Mr. Andrew C. Ritchie, Director Yale University Art Gallery New Haven, Connecticut

Dear Andrews

If you find a mysterious package labeled "From The Downtown Gallery," here is the explanation,

Some months ago a character arrived carrying this picture which is evidently the work of Katherine Dreier. It occurred to me that it might be of interest to Yale as a document in view of the fact that her collection is in your possession. L thought that Isle would be the appropriate spet for it. Also, the Internal Revenue Service will not have to worry about this gift, as I am not asking for a tax deduction.

I'm so sorry that I did not know where to reach you while I was in London in mid-July but I certainly hope you and Jane will join me in delebrating the opening of the new Gallery. We are now at the address which appears on the letterhead.

As ever.

WIN

rior to publishing information regarding sales transactions, searchers are responsible for obtaining written permission on both artist and purchaser involved. If it cannot be stabilished after a reasonable search whether an artist or archaese is living, it can be assumed that the information sy be published 60 years after the date of sale.

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9/9	Time
ode ange	PLEASE CALL HIM
CALLED TO SEE YOU	WILL CALL AGAIN
WANTS TO SEE YOU	IMPORTANT
e garry	he nuis

FORM W.O. NO. 5 GOLDSMITH BROS. N. Y. O. CO 7-1900

Operator

HELEN W. BORGON, M. D. 45 EASY SEED STREET NEW YORK 25, N. Y.

In every conceivable way in this period, in the political scene all over the world, in medicine, in industry, as well as in the various phases of the art world -- in other words, in all aspects of the human soul, there is mass movement in the destruction of real values. It can be overcome, and will be overcome, because small groups of persons all over, and key individuals shall not capitulate to the indecency of this tidal wave. God has given you the grueling honor of being a key individual, and whilst surely it must seem at times that you have more agonies than one person should have to bear, as well as the loneliness that is an aspect of your special struggle, I pray you call some strength and joy from the everlasting place you have won, in the hearts of individuals, and in the History of Art.

Love,

HEleu-

And in the same way, in a manner of could never express from me too.

Inel

August 25, 1965

Mr. Harry Frelinghayson 17 West 54th Street New York, New York 18019

Deer Mr. Frelingbegreens

At long last, the great confusion in the two deliveries of the George Morris paintings has been resolved. The superintendent of the apartment house where the Marin's reside telephoned to state that your painting was svallable and arrangements were made immediately to have Budworth and Son deliver it to you.

This has been a trying experience for all of us, I same you, but there will be no repeat performance in the future and I hope to have the pleasure of seeing you in our new querters at the above address.

Sincerely,

ROBirg co: Mr. Medigan

art institute men's club of

Temple Israel, St. Louis

August 25, 1965

Mr. Robert J. Grode The Downtown Gallery 465 Park Avenue New York, N. Y. 10022

Dear Mr. Grode:

Thank you very much for your letter of August 16, 1965, concerning Ben Shahn's silkscreen "A song of Degrees", which was sent to us for our Art Show. In checking our records, I find that you were not notified that this work was sold. Checks for works that were sold during our show will go forward within the next two weeks, at which time, we shall forward our check to you.

I am truly sorry for this delay in notification, and hope that it has not caused you too much alarm.

Very truly yours,

ART INSTITUTE * MEN'S CLUB OF TEMPLE ISRAEL

Sharon Sander

Secretary to C. Marvin Harwood, Sr.

GENERAL CHAIRMAN . C.M. HARWOOD, SR. . ADDRESS CORRESPONDENCE TO 8227 MARYLAND AVENUE, SAINT LOUIS, MISSOURI 43105

BURNETT II. SHRYOCK

Aug 16.1945

Mes. James F. Morgan, Jr.

ELEELE, KAUAI, HAWAII

Lear Mrs. Halpert,

We are coming to New York on the lets of September. We'll be around for a few days them, and back again around the 15th. We do hope to come in and look at some of Isomi's paintings - especially Kanai Canyons if you haven't sold it yet.

It seems to me that I sami told me you had moved but I haven't gotten your address - but shall try to get it before we leave here Ang. 22th. Hope this reaches you. We will be at the Americana Hotels in NYC. I will call you.

Thank you so much, like Morgan

August 16, 1965

Art Institute Men's Club Temple Israel 10675 Ladue Boad Creve Couers Missouri

Dear Strat

In checking through our records here, it has come to my attention that the following work was consigned to you on April 2, 1965;

Silksoreen Ben Shehm A Song of Degrees, 1960

Would you be kind enough: to drop we a line advising me of the current disposition of the work and when we may expect its return? Maturally, we would appreciate having the work returned as soon as possible.

Thank you for your prompt attention in this matter.

Sincerely,

Robert J. Orode

R.Mite

8/17/65

Mr Wayne Bramble called and would like you to drop him a note about the marin. Business phone 301/982-4693

or to publishing information regipting sales unsearchem are responsible for obtaining written permission to both actist and purchaser involved. If it cannot be ablished after a reasonable search whether an actist or takener is living, it can be assumed that the information y be published foll years after the date of sale.



Sloan Galleries of American Paintings Valparaiso University, Valparaiso, Indiana

September 10, 1965

Mr. Robert J. Grode The Downtown Gallery 465 Park Avenue NewtYork, N.Y. 10022

Dear Mr. Geode:

In reference to your letter of August 16 inquiring about the return of photographs of the works of Demuth and Shahn, the photographs plus the signed bike sepy of the receipt form #7896 were returned to you, I believe, in June.

Unfortunately, I sent no covering letter and so I have no serbon recording the exact date of shipment to you. I, however, have your letter of April 22 with the yellow receipt form, & I do remember mailing the photographs.

If the photographs have been lost in the mail, we would be willing to make good the cost the the. Please advise.

Sincerely,

Richard Brauer, Curator

WADSWORTH ATHENEUM

COLT, MORGAN, AND AVERY MEMORIALS—A FREE PUBLIC ART MUSEUM—FOUNDED 1842

25 ATHENEUM SQ. NORTH Hartford, Conn. 06103 Tælephone 527-2191 Cabia address: Wadath

August 31, 1965

Mrs. Edith Halpert Downtown Gallery Ritz Tower Park Avenue & 57th Street New York, New York

Dear Mrs. Halpert:

Again, many, many thanks for all the work you did getting together information and pictures to help with the exhibition. Incidentally, this exhibition of 20th century painting and sculpture from Connecticut Collections will take place at the Gallery of Modern Art in Washington, D. C. from September 17 through October 24 and after that will be shown here at the museum from October 28 through December 6.

I would very much like to borrow your Lehmbruck scalphare Jungling
1913, either the 1911 or 1920 Dove, the Grese and Green 1916,0 Keefe
watercolor and one of the Marins. I seem to have marked the seement of the Marins. I seem to have marked the seement of the Marins and Downtown New York, 25 1/2 x 21 3/8".

I have enclosed two sets of loan forms for each of the four items and would be much obliged if you could have one set filled out and sent back to us. I hope to get in touch with the Leonard Lindens to see if I can have their Weber.

I have high hopes that the show will be quite exciting and should please both Washington and Hartford and maybe even show them a thing or two.

Very cordially yours,

Samuel J. Wagstaff, Jr Curator of Paintings

TLITM - 1 A...

Encs.

· Done a brack Fiplans - 1971

I realize that what I have said about the manner in which my business is conducted does not precisely describe the method of operation of every art dealer in the city. Probably no two of us proceed in exactly the same way. The differences in procedure among dealers stem, among other things, from differences in the nature of the works in which they specialize and differences in the interests of their clientele. Those very differences give emphasis to the complex nature of our business and the subtlety of our relations with clients. Despite all such differences, however, I am certain, on the basis of my knowledge and experience, that enforcement of Regulation 49 would have a damaging effect on all art dealers in the City. Even those who generally place price tags on their works make exceptions for works of special importance and those which they wish to offer to particular clients. All of us require the freedom to refrain from quoting prices of works which are for sale. Without that freedom to withhold price quotations, the New York art market would be seriously disrupted. fort to enforce Regulation 49 against dealers in acclaimed works of fine arts would place inspectors of the Department of Markets in the position of enforcing the demands of art spies and competitive shoppers for valuable market information. This would seriously prejudice established dealers, the artists whom they represent and their collector clients.

behalf of its members, plaintiff Association objects to the regulation.

- 5. On Wednesday, August 4, 1965, I attended a meeting at the office of the defendant Commissioner, at which I sought to persuade him of the inappropriateness of applying this regulation to dealers in works of art. The Commissioner made it clear, however, that he insists upon treating works of art as a "commodity" within the meaning of the regulation. The only concession which he was willing to make was that art dealers might have their prices listed in an index file available on request instead of having them displayed with the art works. For the reasons set forth in the annexed affidavit of Eugene V. Thaw, president of one of the plaintiffs, that concession is not acceptable to the eleven dealers who have joined with the Association as plaintiffs in this action or to the other members of the Association.
- 6. The position taken by the Commissioner at the meeting held on August 4, 1965, was summarized in a report published in the New York Times on August 5, 1965. His defense of the regulation, as there reported, reads:

"The Commissioner said the "most important" aspect of his regulation was "to protect the consumer from being exploited by businessmen trying to charge what the traffic will bear," as well as to protect the businessman "from cutthroat competition" by having prices in most stores clearly displayed."

int to publishing information regarding takes transactions, searchers are responsible for obtaining written permission om both satist and purchaser involved. If it cannot be stablished after a resumable search whether an artist or probaser is living, it can be assumed that the information sy be published 50 years after the date of sale.

MRS. A. W. S. HERRINGTON 4500 NORTH KESSLER BOULEVARD INDIANAPOLIS, INDIANA 46208 aug 31. 1968

ži.

GRIPPIS WADDELL 15 EAST 57 STREET NEW YORK, N. Y. 10028

BRIPPI & WADDELL GALLERY, INC.

TELEPHONE (212) 421-4141 CABLES 'GRIPGAL NEW YORK'

August 31, 1965.

A REQUEST

Your gallery is on our mailing list to receive exhibition catalogues and announcements of openings. We do not presently receive your own catalogues, and we would be most appreciative if you would add us to your mailing list. Will you do us this favor?

Thank you.

Sincerely yours,

GRIPPI & WADDELL

The Habour

Copy [enel. Ginn 8-27-65]

THE METROPOLITAN MUSEUM OF ART NEW YORK, N.Y. 10028

August 25, 1965

Miss Kay P. Angelides Elementary Art Department Ginn and Company Statler Building Boston, Massachusetts 02117

Dear Miss Angelides:

We have received your request for 55.99, Golden Gate by Sheeler, Permission to publish. Since Mr. Sheeler is a living American artist, we will need a release from his representatives in order to send you the necessary forms. You can apply for this release at:

Downtown Gallery 465 Park Avenue New York, New York

ATT: Miss Edith Halpert

I will be happy to issue the forms upon receiving a letter (or copy of a letter) from Miss Halpert.

Sincerely,

Lynne S. Mayo

Photograph Sales

LSM:ddc

TAUNTON DISTRICT
NEWTOWN, CORN.
06470

September 8.

Dear Edith; -

I must apolegize for not having answered the invitation to the opening of your grand new gallery. I couldnot get down but at least should have had the politeness to let you know. But the next time I get down I'll drop by to see all the new grandour.

have you been up here at all this past summer? I've mussed our chats and drinks once in a while.

The best of fortune with the gallery.

As always, with greetings

Theren

sior to publishing information registing rates transactions, ensurchers are responsible for obtaining written permission rom both artist and purchaser involved. If it cannot be stabilished after a reasonable search whether an artist or urchance is living, it can be assumed that the information by the published 60 years after the date of sale.

HOFFBERG & OBERFEST

CERTIFIED PUBLIC ACCOUNTANTS
475 FIFTH AVENUE
NEW YORK, N. Y. 10017

212 LEXTROTOR 2-0993

SAMUEL I. HOFFBERG, C.R.A. ABRAHAM OBERFEST, C.R.A. HENRY H. BURGER, C.R.A. STANLEY G. BERGER, C.R.A.

August 23, 1965

Miss Adele B. Rosenstein The Downtown Gallery, Inc. 465 Park Avenue New York, N. Y., 10022

Dear Miss Rosenstein:

I received your recent letter with reference to our bill for the fiscal year ended August 31, 1964. The amount of \$2,500. is the same as the bill for the fiscal year ended August 31, 1963. The \$2,000. you refer to was for the fiscal year ended August 31, 1962.

The bill for the fiscal year ended April 31, 1964 covered services rendered from September 1, 1963 to August 31, 1964. We did prepare Mrs. Halpert's personal return in April 1964 for the year 1963 and we also prepared the return for the Foundation for 1963.

I trust this will clear up this matter.

Sincerely yours,

Abraham Oberfest

AO:ST

SMITHSONIAN INSTITUTION NATIONAL COLLECTION OF FINE ARTS

WASHINGTON 28, D. C. CONSTITUTION AVENUE AT TENTH STREET

August 24, 1965

Mrs. Edith Halpert The Downtown Gallery Ritz Tower Concourse 465 Park Avenue (at 57th Street) New York, New York

Dear Edith:

I enjoyed so much seeing you last week. Also, the chance to see your new gallery, which is great, and the new apartment.

Yesterday, I came across this article from the London Sunday Times of July 25. It is old news, but perhaps you have not seen it.

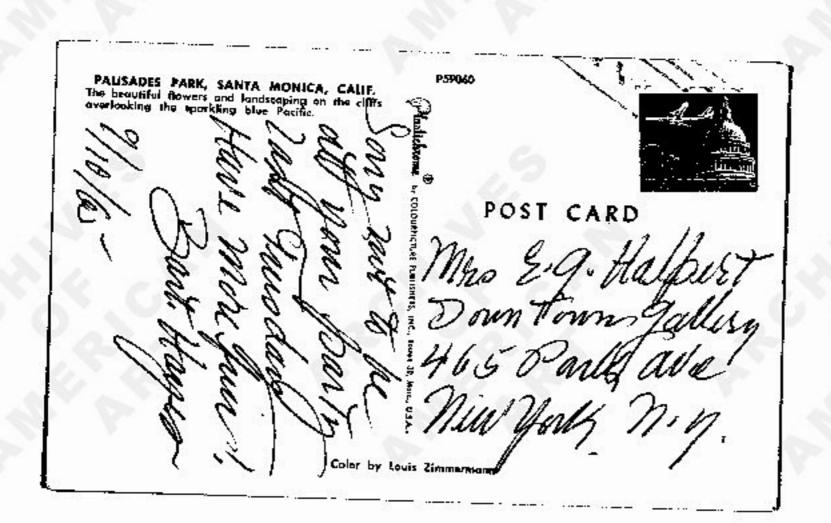
I look forward to your opening on the 7th of September. Let me know if there is anything I can do to help.

Best regards.

Donald McClelland

Assistant to the Director

Enclosure





MILWAUKEE ART CENTER, 750 N. LINCOLN MEMORIAL DRIVE. MILWAUKEE 2, WISCONSIN, BROADWAY 1-9508

August 11, 1965

Mrs. Edith G. Halpert Downtown Gallery 32 East 51st Street New York, New York

Dear Edith:

As you may know we have recently lost one of our major patrons in the person of Harry Lynde Bradley, who died on July 24th. The Trustees are most anxious to make an appropriate acquisition in his memory with the following requirements. It should be in the Modern field, the price should be between \$5,000 and \$10,000 and it should preferably be sculpture although/media are not ruled out entirely.

I am hoping that you may have some suggestions. Harry Bradley was an arch conservative in politics, and it occurs to me that the Board might consider an important piece of primitive sculpture in this connection, although discussions at the meeting when the suggestion was presented were along the twentieth century lines.

I would be most grateful for any suggestions you might care to make along any of these lines, with my very kindest regards, I am

Sincerely,

Tracy Atkinson MA

Director

TA:mh



AMERICAN HERITAGE

551 Fifth Avenue, New York 17, N.Y.

The Magazine of History

Sponsored by . American Association for State & Local History . Society of American Historians, Inc.

August 27, 1965

Mrs. Edith Halpert Downtown Gallery Ritz Tower Hotel Park Avenue & 57th Street New York, New York

Dear Mrs. Helpert:

We so enjoyed talking to you on Wednesday. Thank you for giving us so much of your time.

Our editor was extremely pleased with the Stuart Davis painting. The book in which we are planning to use it is an American history college textbook entitled THE AMERICAN NATION. The author is Prof. John Garraty of Columbia, and the book will be published in conjunction with Harper & Row.

For our records, if we may have permission to use the painting, would you be good enough to sign the enclosed copy of this letter and return it to me. We would be happy to run a credit line "Photo courtesy Downtown Gallery" as well as the credit to the Norton Gallery if you wish.

Again thank you for all your help, and best wishes for your opening.

Very sincerely,

(Miss) Lucia H. Coulter Education Dept.

siera H. Cousier

109 South Morley Street Battemoie, Naufland. 2122) August 26 1965

The Dountonn Galley 32 East 5125 Street New York New York

Dear Sis;

brief you please allow mus correspondence to some as a request for enformation concerning the availability as well as prices and other data—of drawings and original graphies beg. Down, Demuthy Kungdin, Marin and Shahn. Densthy Kungdin, Marin and be gently orpgreciated. Thanking you most suicely for any information concerning may above request, I remain, Mot Respectfully,

B. Weber, Jr

and there work he come its foucet, where Au come to get their worten in buckette and yet outsile . Dedrica of other facilities. I stayed it my cousing only moved to the new Hiroslinna Hotel day thated in the Beaco memorial Bask, beautifully gardened this spot was he exicenter of the Voorth about 400 als from my wondow in the Hotel & careld see the anotaph, designed by Japaneze Tangé a first haryld it was brachis, but his paid place is a year hundred food away, a that shound he priver, little m is a grapile egetainer, which thocks the botter when I the thousands who died, and their names as much as they can ascertain. On the side ? container is written in Japanesis: " Please sleep in Peace. This kind of michale will not happen again." What fallow and inadqual condolender also how bronical for twee thousands survivors, who are slowly define, but who are being with The terrible scharce > Brink Ill like to stop the teller here and look ratulate you for your sue - fifter small stacker & we had a consuple willhout much physical damage, except, difficulti- in speak & some slikes, month no There boit feel mecessing to answer mi lease takengood nest it skad.

nor to publishing information regarding sales transaction searchers are responsible for obtaining written permission both artist and purchaser involved. If it cannot be utablished after a reasonable search whether an artist or urchaser is living, it can be assumed that the information by the published 60 years after the date of sale.

August 26, 1965

Kindlers Malerei Lexikon Kindler und Scheirmeyer Verlag AG Frankfurter Ring 247 8000 Munchen 23 * Vermany

Gentlemen:

This will grant you the rights of reproduction of the Yasuo Kuniyoshi painting about which you inquired in your letter of August 19th. The correct title of this work, which you have listed as "Eva," is actually "Eve in the Garden of Eden." This title must be used.

Thank you for your attention in this matter.

Sincerely,

EGH:re

P.S. Esturally, the rights of reproduction mentioned above referenced to reproduction in Volume III of your encyclopedia of paintings.

August 16, 1965

Mr. Carl E. Solway Director 405 Race Street Cincinnati 2, Chio

Door Mr. Solway:

I find your letter on my return from a trip.
The Gallery is closed during the months of July and August but because I had to supervise the workers who are piddling along between coffee breaks etc., I will no doubt be here on the 24th of August and look forward to seeing you.

As we are not open to the public as yet, will you please phone in advance so that I can make arrange-ments to admit you. The Gallery is on the concourse level, a flight below the street floor and one above the vanit. Incidentally, we have retained our old telephone number, as you will note on the letterhead.

Sincerely yours,

四里 /

August 13, 1965

Mr. Jack Saffian 1730 Andrews Avenue New York, New York 10453

Dear Mr. Beffian:

I have just returned from a business trip and found your bill. The check was mailed to you this marning, but I want to add this note.

With all the problems involved in the remodeling of a Gallery, I must express my expreciation to you for your cooperation and the excellent job you did. Perhaps you can help me further by suggesting a skilled corporator who has as much "pride of craft" as you have. I would be most grateful to you.

I also hope that you will find some time for me in the very near future to take care of my spartment, as well. It would be a great comfort to me to have a pleasant home to live in after the Gallery is completed. Non't you please let me know. I am enchosing a self-addressed envelope in the hope that you can make the recommendation I maked for, also mention a date convenient for you for attending to my apartment problems as well.

Cordially.

BOR/v

THE HIGH MUSEUM OF ART

1280 Peachtree Street, NE Atlanta, Georgia 30309 / telephone 876 - 8232

August 6, 1965

Mrs. Edith Gregor Halpert Director The Downtown Gallery 465 Park Avenue New York, New York 10022

Dear Edith:

Many thanks for your good reply of August 3rd. I saw that ad recently in Apollo magazine announcing the American exhibition in London and I was thinking to myself "good grief! Edith has given up the Ritz Towers and gone to London".

There is a definite interest among the group that I mentioned to you in that Zorach and for a change several people seem to be in agreement on one single piece. For this reason, I am asking you if you would send it down to us so that they can see it "in the flesh". We are most grateful to you for your generous discount on it. When convenient, would you let me know who has the other casts? I certainly hope that we can add this to our very meager sculpture collection (which does, however, boast a good Riemenschneider and a good Henry Moore wood).

I was most encouraged to hear your comments on my thoughts of showing the Lane Collection here. Anything that you could do in the way of propaganda with him would be greatly appreciated. We could do it during the season of 1966-67, or, better still, the following season, when our new Center will be open and operating. I think that we would be able to print a catalogue with a dozen or so illustrations. We would, of course, also be responsible for the transportation. If, on the other hand, Mr. Lang. were willing to help us with some of this, I can assure you that it would be greatly appreciated here.

I only wish that I could join the fun on September 8th. It is unlikely, however, since we have the jury for our annual regional that same week. My best wishes to you for the day and for the future years in your new home. I am really looking forward to seeing it when I get there sometime later this year.

With best wishes,

Sincerely yours,

Gudmund Vigtel, Director

GV:amb

Prior to publishing information regarding sales transactions, researchers are responsible for obtaining written permission from both actiat and purchaser involved. If it cannot be established after a reasonable scarch whether an actist or purchaser is living, it can be assumed that the information may be published 50 years after the date of sale.

August 20, 1965

Mr. Sam Wagsteff, Curator Wadsworth Atheneum Hartford, Connecticut

Dear Mr. Magataff:

Mrs. Halpert has asked me to drop you a line to tell you that we have found the information on the Charles Sheeler painting which she mentioned as being in Mr. Charles Bauer's collection.

The painting is entitled "Catwalk," 1947 and is an oil 20° x 24° . I hope this information proves satisfactory.

Sincerely,

ROBERT J. GRODE

2.10

September 9, 1965

Mrs. Merris Schoen c/o President Madison Oceanfront 38th to 39th Street Mismi Beach, Florida

Dear Jean!

Did you survive the hurricane? I seriously hope that you are all okay and did not have added burdens put upon you from that source.

Mrs. Halpert has asked me to ascertain from you not when you are coming back, but if you are coming back. I realise that you are in a most difficult position, but of course so are we and we do need to know, if you do, what your plans are.

Also, do you remember all the Early American Chalk Ware which you packed before we moved from the old Gallery? We cannot locate it and wonder if you remember what sort of box it was in, how it might have been marked, or better still, have you seen it since we moved in here and might you remember where?

The Opening Party was a fabulous success, with over 200 people attending. The place looks absolutely gorgeous, as did Mrs. Halpert in white (and you'll be happy to know she had her hair done that day) and Bob and I wore roses on our lapels! Chic?

Do let me hear from you with regard to the above questions.

Cordially.

Trucy Miller

Child drinking bronze

\$700,00

Affection Large bronze

4,500.00

Naturally this is only a partial list - whenever you have interest in any of the other pieces please let me know.

Sincerely

Tessim Zorach

sensibers are responsible for obtaining written permission on both artist and purchaser involved. If it cannot be stablished after a reasonable search whether an artist or inchaser is living, it can be assumed that the information by be published 60 years after the date of sole.

threatening to enforce the regulation promulgated by defendant on or about July 28, 1965, and designated Regulation 49; and it is further

ORDERED, that service of a copy of this order and the papers upon which it is based upon defendant or his duly designated agent on or before August /9, 1965, shall be deemed good and sufficient service.

ENTER:

ET mac

Justice of the Supreme Court of the State of New York August 13, 1965

Dr. Irving Burton 26912 York Road Huntington Woods Eichigen

Dear Irv.

I am still so overwhelming involved in getting our new quarters in condition for the scheduled opening on September 8th, and a party on the preceding day, that the thought of having one additional object to file scares the k--- out of me.

If you have a photograph of the Albright painting would you send it along to se and perhaps when I came out of this current transe I will be in a position to make an intelligent suggestion.

Meanwhile, my best regards to you and yours.

AS GYET,

ECR/v

-6

rior to publishing information regarding sales transactions, scarchers are responsible for obtaining written permission om both artist and purchaser involved. If it cannot be suchlished after a reasonable search whether an artist or inchaser is living, it can be assumed that the information may be published 60 years after the date of sale.

August 26, 1965

Arts Magazine 41 East 57th Street New York, New York 10022

Dear Sires

This will serve to notify you that the address of the Gallery has been changed. You will find the new adress listed at the top of the page and I would appreciate your changing your records so that further correspondence may be addressed directly to us here.

Thank you for your attention in this matter.

Sincerely.

Robert J. Grode

RJGtm

- 9. If Regulation 49 is interpreted to apply to the art galleries of plaintiff dealers and other art dealers, such regulation would deprive them of their liberty and property without due process of law in violation of Article 1, Section 6 of the Constitution of the State of New York and the Fourteenth Amendment of the Constitution of the United States.
- 10. By reason of the premises, a serious dispute exists between plaintiffs and defendant concerning the validity of Regulation 49 and the application thereof to the business of plaintiff dealers and the other art dealers who are members of plaintiff Association, plaintiffs claiming that said regulation is invalid in its entirety or, in the alternative, that it is inapplicable to art dealers, and defendant claiming that it is a valid exercise of his authority as applied to art galleries.
- 11. Plaintiffs have no adequate remedy at law. WHEREFORE, plaintiffs demand judgment against defendant as follows:
 - (a) Declaring that Regulation 49 was promulgated by defendant without authority and is null, void and of no legal effect whatever; or, in the alternative, that said regulation is inapplicable to the business of plaintiff dealers and other dealers in fine arts who are members of plaintiff Association.

PRATT INSTITUTE

ROOKLYN, NEW YORK 11205

THE ART SCHOOL

July 20, 1965

Dear friend Edith:

About a dozen times Miss Vee and I ask "Where is Edith?" The answer is, "At 465 Park." But we don't know what you are doing when. I called P13-3707 a number of times; no answer. Maybe too early.

So we assume you may be up in Newtown while we are mostly out at Tuxedo Park.

Anyhow, Edith, we hope you are having a restful time, redying up kfor the fall sessions. And we with you well, send love and XXXX, as ever,

Albert and Miss Vee Christ-Janer

Mrs. Edith Gregor Halpert 465 Park Avenue New York, New York SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK

ART DEALERS ASSOCIATION OF AMERICA, INC., DOWNTOWN GALLERY, INC., ANDRE EMMERICH GALLERY, INC., FAR GALLERIES, INC., SIDNEY JANIS GALLERY, INC., PIERRE MATISSE GALLERY, INC., BETTY PARSONS, d/b/a/BETTY PARSONS GALLERY, PERLS GALLERIES, INC., PAUL ROSENBERG & CO., SAIDENBERG GALLERY, INC., E. V. THAW & CO., INC. and WILLARD GALLERY, INC.,

Plaintiffs,

-against-

ALBERT S. PACETTA, as Commissioner of Public Markets of the City of New York,

Defendant.

Plaintiffs
designate New
York County
as the place
of trial. The
basis of the
venue is the
principal office of defen-

: SUMMONS

: dant.

: Plaintiffs
have their
: places of business in the
: County of New
York.

To the above named Defendant:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiffs' Attorneys within 20 days after the service of this summons, exclusive of the day of service; and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

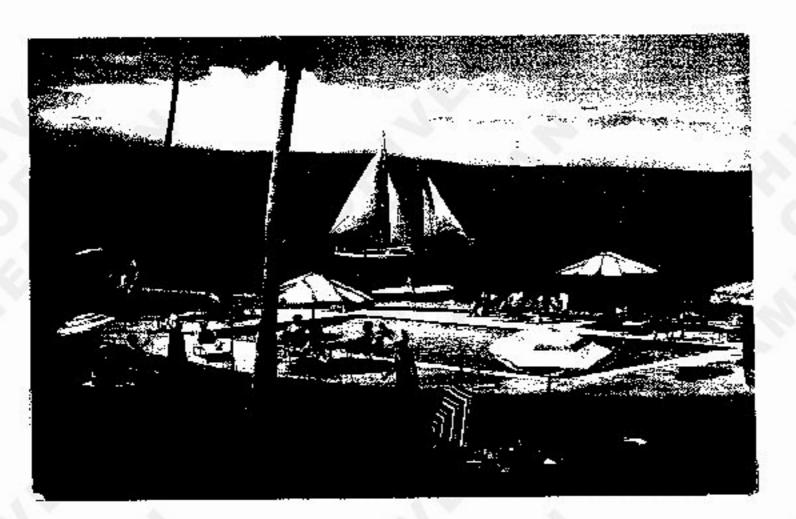
Dated: New York, New York August 18, 1965

> Rosenman Colin Kaye Petschek & Freund Attorneys for Plaintiffs 575 Madison Avenue New York, New York 10022 MUrray Hill 8-7800

STEEL GLIDE GLASS PANELING* has been installed in many of the city's most luxurious apartment buildings, as well as OFFICES & TERRACES, among them:

A			
. 10 Park Avenue	40 Fifth Avenue	45	Sutton Place
101 Park Avenue	475 Fifth Avenue	60	Sutton Place
465 Park Avenue	630 Fifth Avenue	120	Wull Street
475 Park Avenue	745 Fifth Avenue	9	East 10th Street
480 Park Avenue	785 Fifth Avenue	70	East 10th Street
605 Park Avenue	825 Fifth Avenue	319	East 10th Street
625 Park Avenue	960 Fifth Avenue	- 601	East 20th Street
650 Pork Avenue	870 Fifth Avenue	201	East 21st Street
655 Park Avenue	875 Flifth Avenue	144	East 24th Street
700 Park Avenue	880 Fifth Avenue	120	East 34th Street
715 Park Avenue	900 Fifth Avenue	155	East 34th Street
740 Park Avenue	907 Fifth Avenue	201	East 36th Street
750 Park Avenue	910 Fifth Avenue	303	East 37th Street
775 Park Avenue	923 Fifth Avenue	200	East 38th Street
778 Park Avenue	930 · Fifth Avenue	232	East 40th Street
784 Park Avenue	936 Fifth Avenue	279	East 44th Street
830 Park Avenue	955 Fifth Avenue	18	East 48th Street
863 Park Avenue	· 965 Fifth Avenue	249	East 48th Street
875 Park Avenue	1010 Fifth Avenue	15	East-49th Street
895 Park Avenue	1056 Fifth Avenue	246	East 49th Street
920 Park Avenue	1067 Fifth Avenue	111	East 56th Street
960 Park Avenue	1115 Fifth Avenue	. 110	East 57th Street
993 Pork Avenue	1148 Fifth Avenue	200	East 57th Street
1040 Park Avenue	140 Riverside Drive	220	East 57th Street
1070 Park Avenue	530 Riverside Drive.	118	East 60th Street
1096 Park Avenue	408 West 34th Street	175	East 62nd Street
1100 Park Avenue	20 West 43rd Street	201	East 62nd Street
1112 Park Avenue	65 West 55th Street	245	East 63rd Street
1120 Park Avenue	60 West 57th Street	340	East 64th Street
1185 Park Avenue	100 West 57th Street	27	East 65th Street
1217 Park Avenue	26 Broadway	30	East 65th Street
· 24 Central Park S.	61 Broadway	53	East 66th Street
150 Central Park S.	40 Rector Street	215	East 68th Street
200 Central Park S.	30 Broad Street	169	East 69th Street
75 Central Park W.	12 Beekman Place	10	East 70th Street
135 Central Park W.	2 Gramercy Park	179	East 70th Street
151 Central Park W.	75 East End Avenue	30	East 72nd Street
241 Central Park W.	180 East End Avenue	190	East 72nd Street
239 Central Park W.	2 Sutton Place	530	East 72nd Street
252 Central Park W.	20 Sutton Place	101	East 91st Street
45 Tudor City Place	35 Sutton Place	40	East 96th Street
X2 46 1 10	() () () () () () () () () ()	49	Fast 96th Street
	P.	20000	

ice to publishing information regarding sales transactions, carchers are responsible for obtaining written permission in both artist and purchaser involved. If it cannot be sablished after a reasonable search whether an artist or rebaser is living, it can be assumed that the information y be published 60 years after the date of sale.



Mr. Richard Braner
The Sleam Calleries of American Paintings
Valparaise University
Valparaise, Indiana

Dear Mr. Brauer!

In checking through our records here, it has come to my attention that the following photographs were consigned to you on last April 23rds

Charles Demuth

Poster Portrait Series -Name Unknown 1924-28 Woman With Parrots 1912

Rest Shales

Senate Bearing - Lefellette, Thomas 1937 Bach 1962 Blue-Throated Vulture 1962

I would appreciate your returning these photographs as soon as possible. If you have further need of the prints, please drop me a note to lot me know when we can expect their return.

Thank you for your prompt attention in this matter.

Sincerely.

Robert J. Grode

IJQts

cost to publishing information regarding sales transactions to publishing information regarding written portross both artist and purchases involved. If it cannot be established after a reasonable search whether an artist purchases is living, it can be assumed that the information purchases is living, it can be assumed that the information published 60 years after the date of sale.

Mrs. Edith Halpert

-2-

August 27, 1965

I hope that the loan of a key work for exhibition this December is agreeable to you, and I am most appreciative of your cooperation in this matter.

Sincerely yours,

lay W. Sullivan

Director

:amv

Enclosures